Last Flight From Dallas *Joseph Featherstone*

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Justice for Juveniles

David L. Bazelon

Lord Russell's Youth

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The Risks of Marijuana

David Sanford

Keeping Milk off the Market

Paul Wieck

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T.R.B. *from Washington*

Yes, the Answer's No

★ Trying to make sense out of Washington these days isn't easy. Mr. Johnson at Punta del Este pushed for a Latin American common market; a splendid thing. He proposes federal aid for a huge, nonprofit educational TV network (something like England's BBC); a splendid thing. He is trying to promote East-West trade to calm down the cold war; a splendid thing. His 1965-66 record of social legislation is unequaled.

Simultaneously Mr. Johnson is pushing the Vietnam war – which is a disastrous thing. It is all very well to say the country backs him, Governor Romney being the latest "me too" recruit. Yes, the polls show the public supports continued bombing, 67 percent. But a second series of polls shows only 37 percent back Mr. Johnson's handling of the war. Reconciling these two views isn't really very difficult. The public loathes the war. It doesn't want defeat, but it wants *out*. The two moods conflict. It backs bombing on the simplistic ground that that will end the war quickly. And it is taking out its resentment for the war dilemma consciously or unconsciously by making Mr. Johnson the scapegoat.

On top of this, of course, Mr. Johnson has a personality problem; a likability gap. It is our guess that a Rockefeller-Percy ticket next year, as things are going, would romp into the White House. There are two outs about this. Never underestimate the GOP's suicide wish. And the election is 19 months off; too early to predict.

The situation is pretty disheartening for liberals. Republicans already control 25 state governors' mansions, with 60 percent of the population. All the Establishment forces that hate Johnson social reforms are happily mobilizing. Vietnam gives them the opportunity.

This is worse than Camelot. There the bright young prince was made a radiant folk hero by a crazy bullet. Here a man whom we conceive to have a genuine vision of social justice, with all his faults, and a desire to help the underdog, is destroying himself bit by bit. It is tragic because there is no sharp confrontation; it is occurring lingeringly, measured in paltry and ignoble statistics: loans to rural poor are cut, Job Corps trainees are cut, units of low-cost housing are cut, aid to the ghettos is parcelled out although we have already had our first racial riot of the 1967 season, in Nashville. As CORE points out, "eight hours of the war in Vietnam cost more than the government will spend for the combined budget for education, child-day care, sanitation and housing of 400,000 families of migrant workers this year."

Reagan? Romney?

★ It is easy to say, Let the Republicans come in. See what happened in 1966: conservatives won and many of the House Democratic liberals were wiped out. In 1968 it is apt to be the senators. The present 2-to-1 Democratic margin is top-heavy. Twenty-three Democrats face reelection next year compared to only 11 Republicans. Six Democratic liberals, at least, are likely to be challenged by hawks: Gruening, Alaska; Morse, Ore.; Church, Idaho; Clark, Pa.; McGovern, Kans.; Nelson, Wis. They may find it hard to survive.

Conservatives are enormously encouraged these days and you see it everywhere in Washington; for example, they are even beginning to talk of Ronald Reagan. He may yet be kingmaker, perhaps candidate. His smiling primitivism, his cheery assurance that there's always an easy answer to problems for men of goodwill (a kind of Little Orphan Annie-Daddy Warbucks philosophy) may be just what the nation wants. We don't think so. But now he has revived capital punishment, and he has frightened poor old Nixon into putting his own competitive schedule ahead by six months.

We have always wondered whether George Romney could endure the cruel ordeal-by-publicity. Now GOP conservatives in the Michigan Senate are making it harder for him by voting down his fiscal reforms, just as they used to for Mennen Williams. Rockefeller would be the strongest candidate, we think, but Goldwater fans would rather lose than win with *him*. Sen. Percy of Illinois is the probable fallback candidate for GOP moderates if Romney fades. Or a war hero. . . . Show us the winner of that first wintry primary next March, in New Hampshire, and we can probably show you the GOP nominee.

The Wolves

★ Back at the end of World War I rival forces battled over Muscle Shoals. Henry Ford wanted to lease the whole thing for 100 years and Coolidge favored outright sale and vetoed a bill for public ownership. But gallant George Norris held the bridge until reinforcements arrived, and finally FDR signed the TVA Act in 1933. It has remade a whole province.

We have been giving away fabulous natural resources for 150 years, the latest being the air waves to the spoilers who tell us about bad breath and acid indigestion. Talk about pollution, it is like making a sewer out of Niagara Falls!

Now this week Senate hearings begin on the public's shale oil. In Wyoming, Utah and Colorado there is enough oil imprisoned in shale to equal all the total crude-oil reserve of the rest of the world three times over. The land belongs mostly to the government – you and me.

Technicians haven't figured a cheap way to release the waxy stuff yet. But the inevitable use is getting nearer. The big oil companies prowl around the public domain like wolves around a slaughtered buffalo. Paul Douglas used to say there is enough oil there to pay off the national debt and then put every boy through college. Chairman Hart (D, Mich.) heads the monopoly committee inquiry. Like Muscle Shoals, there may still be a long wait before operation. But the fight is beginning already on the basic question: who gets the benefit – We or They?

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CONTENTS

COMMENT 3-7
Doors Ajar, One Stuck; ITT-ABC Hearings; Still a Family Affair; War Is [Deleted]; What Next in Chile?

The Patient Is Getting Restless
– *Brian Wenham* 7

Keeping Milk Off the Market
– *Paul Wieck* 9

The Risks of Marijuana
– *David Sanford* 11

Justice for Juveniles
– *David L. Bazelon* 13

Pot Shots at Culture 17

Lord Russell's Youth
by Stanley Kauffmann 18

BOOKS – *Reviews by William P. Gerberding, Joseph Featherstone, Lawrence Graver* 19

ART *by Frank Getlein* 26

CORRESPONDENCE 27

THE STAFF

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Business Manager – Glenon Matthiesen
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50 East 42nd Street, New York, N. Y. 10017

Doors Ajar, One Stuck

The Vice President returned from his West European trip to a flamboyant welcome at the White House (19-gun salute), and with an optimistic view of the future over there – "replacement of the Iron Curtain with an open door" in the "next 20 years." Among Europeans, there is buoyant talk of someday uniting all the continent "to the Urals," in de Gaulle's phrase. The Russians could of course cascade cold water over all this with one slight twist of the wrist, but nobody expects them to do it, for the Russians are becoming as bourgeois as everyone else except Mao Tse-tung and Stokely Carmichael. The US should have no difficulty coexisting with a communism so domesticated. And yet, the US has been for almost three years the odd man out, and probably Humphrey's European trip only papered over a widening Atlantic gap. President Johnson is conscious of diminishing American presence and influence in Europe, which is why he sent Humphrey in the first place. But is Congress equally aware?

The Administration is deeply engaged in the Kennedy Round, the world trade talks that were kicked off by President Kennedy's Trade Expansion Act of 1962 and that are expected to conclude, successfully, next month (the 1962 Act expires at the end of June). Beset by industrial and farming lobbyists yelling that our negotiators in Geneva may have offered to give more than they will receive, Congress in response could, and may, exercise some amending power over a Kennedy Round agreement. Then there's East-West trade, meaning with communist countries. The Administration wants to extend lower tariff concessions to friendly communist countries in East Europe (Yugoslavia, Poland), and also is in favor of the Export-Import Bank's furnishing credit to help the sale to Russia of about $50 million worth of US machine tools, for an automobile plant that Italy's Fiat company proposes building in the Soviet Union. Private cars for Soviet citizens: there's the bourgeois for you! But Congress could, and may, block the credit, though there's no good reason why it should. Whatever sales American machine-tool makers lost thereby, West Germans or somebody would pick up, that's all.

Elsewhere in the world – Latin America, Africa – President Johnson and Vice President Humphrey are trying to make clear that the United States takes a friendly and responsible interest and isn't just a warhorse. In this endeavor they're carrying self-imposed handicaps as well as whatever restrictions Congress may attempt to subject them to. Somehow, it *does* always seem to come back to Vietnam. For instance,

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Mr. Humphrey leaned over backward not to plug the unpopular Vietnam theme in Europe, but what does Mr. Johnson do the instant Mr. Humphrey's feet touch White House soil? The way Humphrey himself put it, he'd asked the Europeans for "cooperation internationally as well as within Europe's own borders." Mr. Johnson felt he had to spell this out. What Humphrey had meant, he explained, was that neither Europe nor the US could fulfill their "dreams and ambitions" without helping in Asia, and the US at least was doing its duty, for "this conviction lies at the very roots of American policy in Vietnam and throughout Asia." Last week, at Punta del Este, the spelling out came from another source: the president of Ecuador demanded to know why the US "should be concerned with democracy in Vietnam while on their borders people are trembling to the march of guerrillas."

Fortunately, Mr. Johnson is willing not to let his Vietnam obsession get in the way of better relations and increased trade with Russia, even though Russia is helping arm people we're fighting. In Uruguay, he spent most of his time listening sympathetically to the Latin American presidents; his usual style is either not to listen at all or to do so only surreptitiously. At Punta del Este, he let himself be seen to be listening, which was all to the good. Not that he and Walt Rostow and his other advisers on Latin America lack ideas for the hemisphere's future. They would like to see the approximately 230 million Latins (who quite soon will be 450 million, because almost half of them are 15-year-olds or younger and very prolific) achieve a Latin American Common Market by 1985, with a common tariff and free trade among themselves. If the Latin Americans agree, Mr. Johnson promises to ask Congress to make "a substantial contribution to a fund that will help ease the transition to an integrated regional economy."

His fellow heads of state didn't oppose that, but *their* advisers grumbled about US tariffs, quotas, export subsidies and tied loans, all of which they implied add up to unfair restrictions on their trade and retard their economic coming of age.

The Latin American complaints are justified. Nevertheless, trade won't do the whole job. There probably should have been much greater emphasis at Punta del Este on drastic land and tax reforms in the countries in the south. And Vietnam can't be entirely excluded from that picture, either. In the last six months of 1966, all United States economic aid disbursed to Latin America including food was worth $525.3 million (Brazil, Colombia and Mexico got the lion's share). This year, United States economic aid to South Vietnam, not including food aid, is scheduled to amount to about $550 million. There are 16-million people in South Vietnam, not 230 million.

ITT-ABC Hearings

In approving the $2.4-billion merger of American Broadcasting Co. with International Telephone & Telegraph Co. last December, the 4-3 majority of the Federal Communications Commission cited as a "principal reason" ABC's need for money. The commission accepted, on its face, the claim that ABC had to have more capital than it could get without ITT's help; and if it could not obtain the extra cash, ABC would be at an unfair competitive disadvantage among the networks.

The Justice Department's antitrust division, however, said the commission hadn't explored the case fully; it insisted that the commission reopen the hearings. These began last week with Justice Department attorneys questioning ITT officials. A quite different picture began to emerge.

According to the ITT witnesses, that company planned to take money *out* of ABC, not pump some in. ITT viewed ABC as a good money-maker, not as a sagging enterprise requiring outside aid. The Justice Department produced a document on which the ITT management based its decision to buy ABC. It said, "In all we estimate ABC's five-year cash throw off through 1970 will approach $100 million, almost all of which will be available for reinvestment outside the television business." The report added that, "TV's high potential earning power and low requirement for capital investment, together with cash developed from theatres [ABC owns the Paramount theatres], creates a large cash generation, which will be available for other corporate opportunities."

Later, the Justice Department brought on a vice president of Metropolitan Life Insurance Co. whose testimony suggested ABC did not have too much difficulty borrowing money. Charles Charbonnier said Metropolitan has a $70-million loan out to ABC. It had been increased from $42.5 million to the present figure in March of 1965, and Metropolitan was prepared to lend an additional $16 million. Furthermore, at the broadcasting company's request, Metropolitan has since last summer waived loan restrictions, and permitted ABC to borrow $52.5 million from other sources.

This doesn't square with ABC's line of argument in February, when the two corporations were trying to keep the commission from reopening hearings. In what seemed a heavy-handed political maneuver, ABC suddenly announced it had arranged a special $25-million loan from ITT. The broadcasting company claimed it faced a "critical cash shortage" that resulted from "last-minute actions of the antitrust division of the Department of Justice in seeking to delay the proposed ITT-ABC merger."

When Justice Department attorneys finished with

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Charbonnier, ABC lawyers lamely moved to strike the testimony on grounds the witness was not Metropolitan's authority on the questions under review. The motion was denied.

Before these latest hearings had got under way, Lionel Kestenbaum, an attorney for Justice, protested to the examiner that ITT lawyers were on the phone for two hours trying to get a government witness to change his position. The ITT representatives denied the accusation. During the first day of testimony Daniel R. Hunter, another Justice attorney, told the examiner he had seen Raymond L. Brittenham, vice president and general counsel of ITT, running out of the room with notes on the proceedings to read to waiting witnesses. This also was denied. The hearings continued throughout last week, the recitation of dull financial data lightened only by the acid interchange among the attorneys. They rushed about the stuffy, small hearing room like gerbils, pleading with the examiner to strike this or that. The examiner lay back in his chair, starting up every so often to say, as if by rote, "You may proceed, sir."

Still a Family Affair

Two weeks ago ("Keeping It in the Family"), we noted the President's designation of Secretary Rusk as chairman of a committee to devise a "public-private mechanism" through which the government could subsidize the activities of private American organizations abroad, but doing it openly "in a mature, open manner." The Katzenbach report had recommended this new type of CIA-without-secrecy and said that its work should be characterized by a "high degree of independence."

The President has now named the members of Rusk's committee; their credentials promise a high degree of sequacity. On the committee are: the director of the Budget, the attorney general, the chairmen of the Senate Appropriations, Armed Services, Foreign Relations Committees, plus Senator Milton Young (R, N.D.); the chairmen of the House Appropriations, the Armed Services and the Foreign Affairs Committees, plus Rep. Frank Bow (R, Ohio). There is Dr. Milton Eisenhower and the presidents of the Morgan Guaranty Trust Company of New York, Southwest Texas College, the University of Alabama, the Rand Corporation, as well as the chancellor of Indiana University and President Johnson's friend, Washington attorney Paul R. Porter. The final member seems to have got into the club by mistake. He is the president-elect of the student body at the University of North Carolina.

To guide the Rusk committee *The Washington Post* has offered some advice: No foreign operations should be endowed "that do not serve an essential American purpose." And the government, it continues, "should employ no means of achieving dubious ends that have disadvantages outweighing the ends sought." We have no doubt the Rusk committee will understand what that means and act accordingly.

War Is [Deleted]

In a recent joint meeting of two Senate committees considering a supplemental appropriation for the war in Vietnam, we find the following interchange:

Chairman Russell: [Deleted]
Secretary McNamara: [Deleted]
[Colloquy deleted]
General Wheeler: [Deleted]
Chairman Russell: [Deleted]
Senator Symington: Will the Chair yield for a question?
Chairman Russell: [Deleted]
General Wheeler: [Deleted]
Senator Symington: Will the Chair yield for just one question?
Chairman Russell: Yes.
Senator Symington: [Deleted]
Secretary McNamara: [Deleted]
[Colloquy deleted]
Chairman Russell: [Deleted]
[Colloquy deleted]

This illuminating discussion came shortly after the senators and the witnesses had considered the adequacy and fairness of news reporting from Vietnam. The subject which seemed to require so many deletions was that of government sponsorship of trips of private groups to Vietnam. Chairman Richard Russell let the cat out of the bag. "I realize that it is well to have the war as popular as possible, but there is no way to make this war popular – I don't care how many groups go out there." After that admission, why the deletions?

Maybe the answer is that if one says nothing for the record, one can hardly be accused of distorting the truth. The hearings nevertheless do contain some statements that are fairly intact.

Secretary McNamara, for example, reported that 92 percent of the meals served to our troops in Vietnam are hot, and 87 percent of the food is fresh. Each man is provided with 4.2 pounds per day in PX supplies, while United States military cargo moving into Vietnamese ports comes to 27,000 short tons a day. (Was this all stopped in the period of the Tet truce?) General Wheeler inserted into the record the fact that the venereal disease rate is 280.7 per one thousand troops.

We also learn that the forces of South Vietnam, the United States and other allies come to about 1.25 mil-

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lion men, while the forces of the "other side" number 275,000. The "free world" forces last fall "consumed, on the average, about 100 million rounds of small arms ammunition per month." As to artillery, Secretary McNamara declared, "We are using this 105-millimeter round like water in Southeast Asia." The cost of killing a Viet Cong or North Vietnamese seems to be somewhere between $100,000 and $400,000. The Secretary could not give "a meaningful estimate of the incremental costs of our operations in Vietnam, but it costs a lot, let's put it that way."

The United States has "about 1,000 fighter and attack aircraft" available for use in the area. We have a "rate of consumption almost equal to the total air ordnance consumed by US forces in the peak year of World War II in Europe. . . ."

Mr. McNamara observes, for the record, that "the foreign policy of the country is directed by the President, and the Secretary of State is charged with carrying it out, and I think [Vietnam] represents very clearly the foreign policy of the nation, and to the best of my knowledge, Dean Rusk fully supports it." A hearty vote of confidence in Mr. Rusk.

Also revealing is a colloquy between Senator Cannon and Secretary McNamara:

Senator Cannon: Mr. Secretary, are the B-52's now operating out of other places than Guam at the present time?

Secretary McNamara: No. Occasionally they go into [deleted] for weather reasons, but generally speaking, they are limited to Guam.

It has since become permissible to mention Thailand.

Mr. McNamara did not agree to the use of the term "civil war" as applicable to fighting in South Vietnam. He preferred to say that "the direction from the north could not have succeeded in activating the support it has had in the south, unless there had been what I will call indigenous support desiring to modify, by revolutionary action, the economic and political institutions of the south."

When might the United States feel itself able to withdraw its forces from Vietnam?

Senator Young of North Dakota: As I recall, President Johnson said at the Manila Conference that we would be withdrawing from South Vietnam six months after a settlement was reached. Is that substantially correct?

Secretary McNamara: The Manila statement was very carefully worded, and it wasn't phrased exactly that way.

Senator Young: Let me ask a question that bears on this. [Deleted]

Secretary McNamara: [Deleted]

Senator Young: [Deleted]

[Colloquy deleted]

What Next in Chile?

Chile's voters are the nearest thing to perpetual motion in Latin America. Four times in as many years they have marched to the polls. In the 1963 municipal election they gave Eduardo Frei's Christian Democratic Party (PDC) 22.7 percent of the vote, making it the largest party in the country; in 1964 a majority chose Frei as President; the following year his party received a robust 42.3 percent plurality.

Then came the municipal elections this month. President Frei, anxious to implement his reformist program, and about to confer with President Johnson at the Punta del Este Summit, placed his prestige squarely on the line by asking the voters to ratify his administration by their votes. He suffered a stinging setback. His Christian Democrats received 35.6 percent of the votes – far short of the 50 percent they had asked – while the Radicals (16.5), Communists (15), Nationalists (14.6), and Socialists (14.2) bettered their 1965 performance.

Why did it happen? Local elections revolve around potholes, clogged sewers, and garbage pickups, not presidential visits abroad. (In mid-January, the Chilean Senate had blocked Frei's projected trip to the US, which Frei thought gave him a red-hot campaign issue. He and his cabinet stumped the country to stress the blow to national honor.) More significant was the swelling disenchantment with a program that pinched the toes of the middle and upper classes without giving sufficiently compensating benefits to the less-favored. For two and a half years the Christian Democrats have turned the air blue with promises of a "revolution in freedom," and still inflation roared along at a 25 percent clip and paychecks shrank. The voters' minds were turned from the PDC's impressive record in housing, education, health, copper and foreign affairs. The abstention rate on election day was over 25 percent, despite a compulsory voting law.

Frei's policy of governing alone in Chile's multiparty system cannot continue. Victory in the municipal balloting would have whetted his interest in holding plebiscites on major issues. Now his plans for "direct democracy" will be shelved. Inflation must be braked and far-reaching reforms carried out if the PDC is to retain the Presidential Palace in 1970. But where can the Christian Democrats turn for support? They enjoy a snug majority in the lower house, but they can't muster a majority in the 45-member Senate.

A parliamentary pact with the far left is most likely. While the Peking-leaning Socialists remain intractable, the Soviet-aligned Communists, perhaps encouraged by Russia's warm relations with Chile, have said they are willing to support Frei on "correct" measures for workers. Secretary-General Luis Corval-

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ian recently lauded a trade pact with Moscow and the expropriation of 800,000 *hectares* as "important steps in the interest of the country. . . ."

A modified "opening to the left" has the backing of the PDC's powerful *inconformista* wing. Led by Marxist Alberto Jerez and supported by Senators Rafael Gumucio and Renan Fuentealba, the nonconformists maintain that there has been "more liberty than revolution" under Frei, and that he should not pussyfoot around while the right sabotages such measures as his land reform bill. It is reported that Radomiro Tomic, Chile's ambassador to Washington and a sure bet to be the Christian Democrats' nominee in 1970, also favors contact with the left.

The Patient Is Getting Restless

Britain after 2½ years of the Wilson Treatment

London

Convalescent Britain is getting impatient with Labour's course of treatment, and casting about for fresh prescriptions and fresh practitioners. By-election tests have handed one Glasgow parliamentary seat over to the Tories, and cut back Labour's lead elsewhere. Such sharp reaction against the government rarely happens within a government's first full year in office. In Glasgow it was Scottish Nationalists who did the main damage, and in other seats the Nationalists of Wales, and a novelist, John Creasey, running for an All-Party Alliance. A protest then, but a muddled one, expressing more a general sense of dissatisfaction than a straight preference for what went before. And in this lies Labour's only consolation.

Labour, at best a disparate group, has since last year been run on a light rein. The ground rules laid down by the leader of the House, and effective party manager, Richard Crossman, permitted abstentions and adverse votes by backbenchers on matters of deep conviction – which it turned out could cover practically anything – and in exchange Labour members were to forswear attacks on personalities and the formation of internal opposition groupings. This new deal was meant to be the way around the fierce rows that beset the postwar Attlee government, and bedeviled Hugh Gaitskell. Give them enough rope and they would appear to stick together. It backfired, in part, because the invitation to abstain was accepted with considerable alacrity, but more especially because the Labour loyalists wouldn't have it. Rightly suspecting that the rebels were getting credit as independents back home, while they themselves were being branded as trusties, the loyalists of the center and right made it clear that their support could no longer be taken for granted. It was that that gave Harold Wilson his cue to read the riot act to the assembled party in what will go down as the "dogs speech."

With its clear warning that the function of backbenchers was to support the government and that if they did not their "licenses might be called in," that speech has not been followed by any open change in party practice. The light rein is still officially in operation, which some take as proof that Wilson either overstepped the mark and was forced to backtrack, or that he simply did not mean it. Certainly the *speech* was intended, and what it did was to head off for a while dangerous divisions on policy by turning party protest into a personal protest against the behavior of the prime minister himself. Current talk is much more about the dictatorial tendencies, actual or supposed, of the leader, than of the real choices that face the government and the party over defense spending, the common market, unemployment and the incomes policy, on all of which a substantial section of the party questions Wilson's diagnosis.

After two and a half years of Labour administration, a couple of serious financial crises, and a period of severe deflation, it is now possible to see the beginnings of a way out of the economic darkness, but it is bound to be a long haul. The balance of payments is once again in balance, and Britain is moving into surplus. The basic picture is much more hopeful than it was when Labour inherited a deficit of around $2,000-million in 1964; but to pay back by 1970 the $3,000-million owing to the International Monetary Fund, the country has to run a substantial surplus from now to the end of the decade. (The reserves which are themselves now down around $3,000 million cannot safely be run down further.) An independent body, the National Institute of Economic and Social Research, has taken a close look at what this need to repay debts out of payments surplus means for economic growth and for public consumption, and the conclusions are in no way cheering. Enough imports, it reckons, can be allowed in to sustain a maximum growth rate of 3-3.5 percent a year from 1968 on. This for a start means that total growth for Labour's term in office, 1964-1970, will be under 15 percent, well short of the prediction of the National Plan of 25 percent expansion. The smaller-than-anticipated growth rate means too that the government must soon face very difficult choices. After allowing enough industrial investment to fuel the maximum possible growth rate, there will not be enough left over to fulfill both the government's long-

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term public spending plans and the public's expectations of some decent rise in consumer expenditure. The problem is not immediate, in the sense that Labour can safely increase public spending this year because private industry has not yet begun to pick itself up, but from next year if growth rates are to be achieved the government either has to cut back projected public spending – in housing, education, social services – or cut back consumer spending by raising taxes. If it chooses the first course, Labour will fail to come up to scratch on its own social and domestic priorities; if it chooses the second it will run into heavy fire from the electorate condemned to a year-by-year improvement in its living standards of less than 1.5 percent. The average of the last four years of Tory government was more than double that, and the Tories will be quick to point up the difference.

These calculations assume that there is no great change of policy over unemployment, or over incomes and prices control; that unemployment will be allowed to creep up a little more this year and fall only when expansion begins to take up the slack, and that prices and incomes will be pegged within the growth rate. So far substantial reserves of loyalty to the Labour government, and a certain strong vein of masochism, have made rising unemployment and a virtual standstill on incomes more palatable to the party, the unions, and the country than anyone had dared to expect. There have been no serious strikes since the freeze came in last July. But the loyalty is wearing thin, the masochism has lost its savour. The current unemployment level of just over two percent perturbs the unions, but it is over the government's determination to keep a hold on prices and incomes that the first battle is being fought.

Until July under what is chillingly known as "the period of severe restraint," pay increases are being limited to increases for the lowest paid workers and increases for greater productivity. After July the government is prepared to allow two other categories of increase – where there is a shortage of labor, and where wages are lower than in comparable industries. But it can't and won't allow the flood-gates to open. The powers to stop wage increases dead will have come to an end, and all that is left is the power to delay an increase for up to four months. The unions are saying again, as they were before the freeze, that they should be allowed to have a crack at keeping a check on wage demands (the employers express a similar interest over prices); the government is looking hard at further reserve powers for itself, to delay increases for up to 12 months, and to make sure 12 months elapse between one increase and the next.

This kind of medicine would be easier to take if the government could cut its own spending enough to permit a sizable increase in the public's expenditure and so in wages. Some scaling-down must certainly follow on the collapse of the National Plan and its fictional 1970 targets, so there should be room for two percent or more a year in the wage packet. This still isn't very much to give the troops, but anything substantially greater could get inflationary, set export prices on a swift upward swing, and start the kind of trouble international bankers probably won't tolerate – a return to deficit on the balance of payments. The government can hardly take that risk, but it could, and should in the view of a growing number of Labour members take action on the one major item of government spending that directly affects the balance of payments, defense spending overseas.

A cut in defense spending of around $800 million over the next three years, the sort of cut the Labour Party conference narrowly voted for last October, might, assuming it fell chiefly overseas, ease the balance of payments to the extent of permitting expansion of the economy by a further one-half percent a year. Not much on the face of it, but from Britain's tight corner, fractions of a percent loom large. This would in turn mean that all the sums could be redone and the results would be marginally easier to bear. The most that can be hoped for in savings, however, is a few more millions in offset costs from West Germany for the British Army of the Rhine, and some trimming in the Middle and Far East. Currently Aden appears close to insurgency, and the Foreign Office is exerting pressure to get the decision to pull out rescinded; the Middle East could become an extended commitment. So the argument on overseas defense spending will not be won outright by the Little Englanders this side of 1970, and the Labour dissidents will continue to scorn the government's, and particularly Wilson's, desire to play a role on the world stage.

In all this discussion, the least mentioned option is that of devaluation. Labour set its face against devaluation in the autumn of 1964 in the teeth of the first economic crisis, and it has been almost treasonable in government circles to use the word since. In 1964, it might not have been of much benefit to an inflationary economy running near to full capacity. In 1967, with plenty of capacity to spare it might be one sure way of getting an export-led recovery of the sort Wilson says Britain is getting but which the figures indicate is by no means assured. But in 1967 the political arguments are less favorable; Labour has in its past two governments that have devalued, memories can be quickly revived. Yet done now, it is unlikely to cause a panic, and the word is being whispered.

A devaluation must hinge in part on what happens over the probes toward the Common Market. It would make sense to take a leaf out of the French book and

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devalue prior to entry, but such a strategy would no doubt stiffen French opposition to admitting Britain. It is not even yet clear that the decision to apply has been effectively taken. Opposition within the Labour Party is stiffening as the time of decision draws near, and French coolness will give Wilson pause. There seems little point in running slap into a closed door. The guess must be that the government will somehow announce its intention to draw closer to the Common Market, probably declaring it wants to join, but not specifying when. And in any case any benefits that might accrue from joining cannot affect the immediate problem of what to do in the next three years.

Brian Wenham

Keeping Milk Off the Market

After scoring limited but encouraging successes in pork, beef and bean sales over the last couple of years, the National Farmers Organization has put its hopes for the future on the line with the milk-withholding action. Here, NFO is dealing with a perishable, easily transportable commodity and one that was in surplus when the year began. If it should flounder, the youngest of the major farm organizations might wake up to find its large and carefully built organization shattered.

What NFO is seeking, through its series of withholding actions, is a non-legislative solution for the vexing economic problems confronting the family farmer. That solution is voluntary collective bargaining, with a goal of a six-to-eight percent return on investment for farmers; in itself not an unreasonable figure, when measured in terms of corporate returns on investments during the sixties.

Its dedication to this solution has given rise to a curiously ambivalent attitude toward politics and the government's farm program. NFO leaders know both are necessary, at least right now, but repeatedly turn the attention of their members to their own solution.

NFO's choice of a milk-withholding action is, in itself, a measure of the growing confidence of its leadership in the new organization's strength. Certainly, it has been growing. In a few years, it has had to almost triple its headquarters staff to keep its growing membership files intact.

Of all federal farm programs, the one set up for the dairyman is the least comprehensible to the layman. But one thing is apparent. Dairy farmers haven't been making enough money.

Actual counts in Wisconsin last year showed that an average of 84 herds per week were being sold off, most of them going to slaughterhouses. The average age of the dairymen quitting was well over 50, a hint that their sons don't find the rewards are enough to keep them in the barn with their fathers who, rather than struggle along for a few more years, are selling their herds and getting ready to collect Social Security. A study of the returns to the dairyman for his efforts (it covered the 1962-64 period) showed a Grade-A milk producer averaged 63 cents per hour, a paltry wage that dwindles in significance even more when measured against the investment required of the producer to earn that 63 cents per hour. It also explains why so few of the sons are interested in staying on the farm.

Even last fall's strong price situation, the best in some years, didn't help the producer much, because production costs have been edging up steadily, cutting deeply into any profit margin. Then, in January, sudden surpluses cut the prices.

The initial demands of NFO are not staggering. It proposes to gain, for its members, an increase of $1 per hundredweight, or an average selling price of roughly $6.05 on Grade-A milk. This, NFO leaders calculate, would boost the price of milk for consumers by two cents per quart. It is regarded, however, as "only a start" because the producer's margin would still be modest.

Obviously, NFO doesn't control a large enough percentage of the entire national production to control the market supply. In many localities, it does. But processors can ship milk in overnight, from points hundreds of miles away, and, for the farmers withholding their production, it is a very perishable commodity. Still, contracts have been signed in many states with processors and NFO has dug in for a long fight.

In its dozen years as the farm belt's only radical organization offering a clear alternative to federal subsidies, NFO has had its ups and downs. But in the last year, it has been gathering strength among dairy farmers, signing up from 40 to 60 percent of the production in many communities, particularly in Minnesota and Wisconsin. The 60 percent figure is the magic one for NFO leaders, who feel they can control the market supply with that percentage and win their fight for voluntary collective bargaining in beef, pork, grains, dairy products and edible beans. Its membership is impossible to measure accurately (NFO claims it would weaken its bargaining position to release figures

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on membership totals or the amount of production signed up), but it is clear that the NFO drive for a non-legislative solution has put on the defensive both of its major competitors in the Midwest – the National Farmers Union (NFU), which supports a "liberal" legislative solution; and the American Farm Bureau Federation (AFBF), whose leaders oppose most farm programs and long instead to return to the old supply-and-demand economy without strings. NFO now has measurable strength from Ohio to the Dakotas, with deep inroads in the mid-South and some areas of the Northeast, thus marring the tranquillity with which the older organizations dominated certain areas.

There isn't a more demanding mistress (and a less exciting one at 6 a.m.) than a herd of dairy cows, which must be tended, twice daily, seven days a week, preferably at the exact same hour. Too many farmers are deciding that the rewards aren't commensurate with the demands. They watched nervously as dairy imports soared 171 percent in 1966, from 168 million pounds in January of 1966 to 288 million a year later, prompting new protectionist cries from the farm belt. A few years ago, it was beef imports that upset the farm belt. In that case, outside observers were inclined to question the impact of the importation of large quantities of grass-fed beef on the price of prime beef at the marketplace. Clearly, the cattlemen had overproduced on prime quality beef, and this was the major factor in a sharp price decline. They're not so sure of the impact of dairy imports, although knowledgeable observers warn against accepting the claim that imports have had a 45-cent depressant effect (about 10 percent) on dairy prices.

In that atmosphere, NFO organizers had success in 1966. At its national convention late in the year, thousands of NFO members thundered their approval of a withholding action on milk, to be called at the discretion of the national officers.

By early April, NFO, after signing contracts with an undisclosed number of processors in a number of states, shifted to "Phase 2" of its plan, which meant its members were settling in for the long haul. Under "Phase 2," NFO members take their milk to selected processors who make cheese and powdered milk out of it, which in turn is stored under lock and key. The farmer gets a warehouse receipt, upon which he can borrow money. No figures are released on the amount of milk being processed and stored but NFO spokesmen call it "a staggering figure." Meanwhile, their organizers scour the countryside for new recruits.

At the same time, NFO members have been encouraged to sell off breeding stock. Again, the odds against making a real impact are high. There are 14 million milk cows in the country and, over the last 10 years, the average output per cow has gone up 3.5 percent per cow per year. Thus, normal culling of herds (and a good bit of the current NFO selling is in that category) no more than makes up for the increased production level. Sales would have to be fairly heavy and widespread to cut deeply into production.

Suppose, in the long run, NFO should succeed. What would be the impact?

Let's take the consumers first. They have been the major beneficiaries of the price support program, but in many cases the major critics of a program that doles out considerable sums to the farmers.

The farm program has done two things for consumers. First, it has given them a steady and orderly supply of food. It has also given consumers the best buy on food to be found. All through the fifties, the percentage of the consumer dollar spent on food hovered around 20 percent. It started to drop in the sixties and, by late 1966, had gone down to 17.8 percent, leading more and more farmers to insist that the support program is, in reality, a gigantic consumer subsidy that the farmers were being blamed for but were not profiting by. If the federal farm programs are gradually replaced by voluntary collective bargaining, it could be at the expense of that subsidy consumers have been enjoying.

What it would do to the protectionist feeling in the farm belt is another question. If, by winning collective bargaining rights, farmers also brought the recurrent problem of farm surpluses under their own control, it could be considerable. Right now, persons with an eye toward the Kennedy Round at Geneva are cringing over Secretary of Agriculture Orville Freeman's decision to ask the Tariff Commission for quick action on dairy imports because they are straining the government's price support program. Out in the farm belt, NFO leaders are not directing too much fire toward imports. They have a non-legislative solution in mind.

Success would bring one real problem. It would throw them into "Phase 3," the search for political allies to help them protect their non-legislative gains in the political arena, where a price and profit squeeze would quickly raise demands for restrictive legislation. It is then the farmers would discover how tardy they've been in surrendering their vaunted "independence." By 1966, only 6.5 percent of the population still lived on the nation's farms. This isn't enough to give them real political power, unless they find powerful allies, such as organized labor. In fact, one of their big victories in the current withholding action was won in Nashville, Tenn., when union members refused to cross the NFO picket lines.

The odds, in the spring of 1967, seem to be against the NFO. But that may be because the stakes are so high, for farmer, processor and consumer alike.

PAUL WIECK

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The Risks of Marijuana

by David Sanford

A young man from the state of Washington, Kerrigan Gray, was arrested on the night of his twenty-second birthday for making two sales of marijuana to an undercover agent of the Seattle police narcotics division. Gray had been an on-and-off student at Everett Junior College and one of many "fringies" who hung around the University of Washington. He met the cop who arrested him in a coffee house near the university; the two became friends; Gray got his friend some pot.

Gray was tried and convicted on two counts of selling marijuana and sentenced to concurrent 20-year terms in the state prison at Walla Walla. (The attorney who prosecuted the case tried unsuccessfully to get *consecutive* sentences which would have had Gray behind bars beyond the year 2000.) Since May 4, 1965 Kerrigan Gray has been behind bars. He spent the first 14 months in maximum security – in quarters with murderers, rapists, and hardened addicts.

Recently, he has been put in medium security; that is, he has a room of his own and limited freedom of the grounds (he must stay within sight of the armed guards on the walls). He is taking a computer programming course and after nine months training may be able to get a job outside the prison working for a state agency. Even so, he will have to return to his prison quarters every night. When he has served a total of seven-and-a-half years he will be eligible for parole.

The worst thing that can happen to a person who smokes pot is prison, not addiction. The worst thing about marijuana is the laws against it, which should be repealed. The most recent authoritative view of the medical effects of marijuana is chapter 8 of the President's Crime Commission Report (February) which deals with "Narcotics and Drug Abuse." "Marijuana is equated in law with the opiates, but the abuse characteristics of the two have almost nothing in common," the report concluded. "The opiates produce physical dependence. Marijuana does not. A withdrawal sickness appears when use of the opiates is discontinued. No such symptoms are associated with marijuana. The desired dose of opiates tends to increase over time, but this is not true of marijuana." In short marijuana is not a narcotic, it is not physically addicting, one does not develop a tolerance to it. Nor, the report continues, does its use lead to addicting drugs.

Marijuana can lead to a "psychic dependence" in certain people who unlike occasional experimenters find it so necessary that they do, in the current phrase, drop out. A political activist at Cornell who belonged to several student government committees quit his positions so he would have more time to smoke pot. Dr. Robert Liebert, a Columbia University physician, sees some daily users, potheads, in therapy. If they have anything in common it is a feeling of alienation and withdrawal from their parents, teachers and other students and a feeling of being set upon (recurring dreams about cops). But Liebert says that his pothead patients did not come to him because they smoked pot but because they had other problems.

Students one talks to on college campuses, especially those who affiliate themselves with organizations such as LeMar (Legalize Marijuana) seem to have a rote patter which goes something like this: Marijuana is less hazardous to health than cigarette smoking, less toxic, less habituating than alcohol. And what's more there is no associated hangover after the experience is over. At last health officials seem to agree and are reduced to arguing that just because it is no worse than alcohol doesn't make it good, and that just because alcohol is legal doesn't mean that we should encourage more vices. If such prohibitionist logic does not pay off, they have a clincher: *Marijuana is against the law.* This is the one indisputable assertion of the antipots.

The Federal Narcotic Control Act of 1956 reflected a trend toward increasing penalties for drug offenses. Possession of a narcotic (heroin, synthetic opiates, cocaine *and,* erroneously, marijuana) is a federal crime carrying a *mandatory* minimum sentence for a first offense of two to 10 years. A second offense is punishable by five to 20 years, a third 10 to 40. Timothy Leary, the prophet of LSD, was sentenced in Texas to 30 years and a $30,000 fine for possessing one-half ounce of pot. *Selling* marijuana is a felony carrying a fixed-minimum five to 15 year sentence for a first conviction. (State laws are in some instances still more barbaric. In Colorado, a second offense sale of marijuana to anyone under 25 is a capital crime.)

The Federal Narcotics Bureau, established in 1930, was the logical successor to the prohibition agencies and put the prohibitionist mentality to work suppressing marijuana. The Bureau has long been convinced that the root source of narcotics, including pot, is organized crime – the Cosa Nostra, the Mafia, or what have you. But the Bureau's activities seem more and

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more to be centered on the small-time operator, the student who got it from a friend in New York who got it from a friend of Joe Bananas'. (If organized crime is the Source the average college user is unaware of it. The student is more likely to grow it in a window box or smuggle it in from a romp in Mexico in the spare tire of his car.) The Narcotics Bureau and other concerned agencies use the same tactics – informers and entrapment – with college kids that they use to get the big guys in the Mafia. Chuck Hollander, who follows the drug scene for the National Student Association, said in a speech at Fairleigh Dickenson University earlier this month that the Bureau fails to distinguish between a student who sells pot to a friend as a favor and the operators of a highly profitable narcotics ring. He accused the Bureau of using "spying, paid informers, wire tapping, mail tampering and illegal search and seizure," to bust college kids.

Stigmatizing Results

The number of people unlucky enough to end up in prison for 20 years on a marijuana rap is relatively small. But getting caught with pot in hand or merely advocating marijuana, has results which are, at a minimum, stigmatizing. In January, New Jersey police narcotics agents arrested five Princeton students and charged them with possession of marijuana. As in most of the recent college cases, the cops had an agent posing as a town hippie, gathering information. A month after the bust, four of the five students "voluntarily" quit school for reasons of "personal health."

Last semester a Duke University senior was sent up before a disciplinary committee for allegedly using marijuana. Subsequently her admission to Duke's medical school was withdrawn. A University of Washington history professor, who did not yet have tenure, was dismissed for "radical" statements he had made in favor of marijuana. Last week the student senate president at Iowa State University in Ames admitted using marijuana; an organized campaign has been launched to impeach him for "gross malfeasance."

Nothing makes hotter newspaper copy than a good dope raid, especially if it involves college students. And few things are more upsetting to college officials than to see a page-one banner headline such as that which appeared in the *Detroit Free Press* January 25, implicating Wayne State University: "Lightning Raids Trap 56/ In LSD and Marijuana Ring/ Majority Are WSU Students." The public's overreaction to marijuana is at least in part a reflection of the press' willingness to assume that pot is (1) a dangerous drug and (2) worth scare headlines.

On January 24, the entire 22-man Detroit police narcotics bureau, seven federal narcotics agents, five customs agents, three members of the Michigan state police intelligence bureau and one Food and Drug Administration agent moved in, more or less in concert, on "suspected dope dens" in the area around Wayne State University. They confiscated a quantity of marijuana and of what they thought was LSD (lab tests later indicated that it was not) and arrested a Wayne State English instructor and a number of what they thought were Wayne students (Joseph Brown, the head of the police narcotics bureau in Detroit said a majority of the 56 arrested were Wayne students. The *Free Press* article that quoted him said 21 were students at Wayne – something less than a "majority.")

From reading the papers, the university thus got the impression that perhaps 28 of its students and an instructor had been caught with narcotics – LSD as well as pot – that there was a dope "ring," and that everyone there was a bearded booted beatnik. None of these things was true. Only four were students, the instructor was in the building but not in the "dope den" and is suing the Detroit police for $350,000 for false arrest, the LSD turned out to be something else, some of the arrested persons didn't know each other and were certainly not part of an organized ring, and none of the implicated Wayne State students were unkempt beatniks.

Unfortunately, the university did not know these things at the time and in a moment of hysteria issued a hasty press release stating that any university employee involved would be "suspended immediately," and that students would similarly be subject to "immediate suspension pending a hearing" of a university non-academic disciplinary committee. Some of the arrested students stopped attending classes for a short time because they had read, in the *Detroit News*, that they had been kicked out of school.

Officials at Wayne have since repented of their too quick response to inaccurate and sensational newspaper accounts. Even if the reports had been true, they now believe they should not have reacted as they did. No students were suspended and Duncan Sells, Wayne's Dean of Students, says none will be even if they are convicted of narcotics violations.

At first, Sells says, the university wanted "to get off the hook that the press had put us on in the public eye." Later, Wayne took a more sober view. It is not interested in helping the cops entrap student users, it is not even going to tell students not to smoke pot. Rather, the university feels that its principal responsibility is to point out that society is not as broad-minded as Wayne State, that to sell a nickel bag ($5) of marijuana to a friend may be a favor for which one will pay with several years of his freedom.

This is the second of two articles.

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Justice for Juveniles

by David L. Bazelon

The legal profession has been engaged in more than one revolution during the past decade. And a new one is beginning now. The spark was Morris Kent, a seriously disturbed Negro boy of 16, who in 1961 was picked up for housebreaking, robbery and rape. He was brought before the then only juvenile court judge in Washington, D.C., who, according to the statutes and cases in my jurisdiction, was supposed to give Morris "care," "concern" and "adequate and suitable treatment." But these fine principles sound false in the real world of the nation's capital. The juvenile court judge was in an impossible situation. Here was a lad "seriously disturbed," desperately in need of professional care and treatment, and yet, as Judge Lawson who was appointed to our Juvenile Court after the *Kent* case, was later to say, we simply "don't have a place in the community for this type of child." Well, this was the problem for the juvenile court judge in the *Kent* case. And he chose a rather ingenious solution. He washed his hands of the whole sorry mess and "waived" his jurisdiction to the adult criminal courts.

Morris stood trial as an adult criminal and the jury found him guilty of the housebreaking and robbery charges, although it acquitted him by reason of insanity on the rape charges. The criminal court judge sent him to a mental institution until he recovered his sanity, after which he was to serve a sentence of 30 to 90 years.

My own Court of Appeals affirmed the conviction and sentence even though, as one of my colleagues frankly put it, "it [was] a fair inference from the record before us that one of the reasons why the Juvenile Court waived jurisdiction was because [Morris] was seriously disturbed and the Juvenile Court lacked facilities adequately to treat him." To me, it was "shocking that a child was subjected to prosecution and punishment as a criminal because he was thought to suffer from a serious mental or emotional disturbance."

At first, Morris' lawyer asked my Court of Appeals to rehear the case, but then he decided to seek immediate review by the Supreme Court. At the time, observers thought his chances were rather slim. Since Illinois established the nation's first juvenile court at the turn of the century, the Supreme Court had never reviewed a case coming from any children's court. But the Supreme Court agreed to hear Kent's case. For the first time in more than 60 years of juvenile courts, the Supreme Court of the United States decided to look into the record of a juvenile proceeding. The Justices opened the door cautiously, and, judging from their opinion, they recoiled from what they saw within:

"While there can be no doubt of the original laudable purpose of the juvenile courts, studies and critiques in recent years raise serious questions as to whether actual performance measures well enough against theoretical purpose to make tolerable the immunity of the process from the reach of constitutional guarantees applicable to adults. . . . There is evidence, in fact, that there may be grounds for concern that the child receives the worst of both worlds; that he gets neither the protections accorded to adults nor the solicitous care and regenerative treatment postulated for children."

What are the legal justifications for our juvenile court system?

All of us know those two Latin words *parens patriae*. But what does that phrase really mean? Black's Law Dictionary tells us that *parens patriae* refers to "the sovereign power of guardianship [of the state] over persons under disability such as minors, and insane and incompetent persons." Unfortunately, for 60 years courts have been using that phrase as if it were the answer. The judge closes his eyes, waves his magic gavel, intones the magic phrase, and the problems go away. Well, they don't.

A chief difficulty with discussing the justification for juvenile courts is that they deal with so many different kinds of children: children who have committed antisocial offenses; children who are neglected or abandoned; children who are disturbed or "beyond parental control," and the like. There are nine different categories in the District of Columbia. Some jurisdictions provide different labels for these categories. New York, for example, classifies children as "neglected," "delinquent" or "in need of supervision." The law of the District of Columbia makes no distinction whatever although, in practice, the juvenile court classifies children as "dependent" or "delinquent." It is understand-

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DAVID L. BAZELON *is Chief Judge of the US Court of Appeals for the District of Columbia Circuit. This article is adapted from a talk he gave last week at the Massachusetts Institute of Technology.*

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able, then, that judges and scholars have suggested different justifications for society's right to deal with the child at all.

First, there are those who think that the function of a juvenile court is to punish. According to these people, a child, like an adult, who commits an antisocial act, should be held responsible for it unless he can show that he has some kind of mental condition which excuses him from responsibility. This is the position taken by Justice Oliphant of the New Jersey Supreme Court. He says, in one of his opinions:

"A peaceful citizen has the right to be protected by his government, and to have a spade called a spade, and if young hoodlums are mentally incapable of a criminal intent they should be put to the burden of establishing that proposition in a court of law under established rules and are only entitled as a matter of right to the constitutional guarantees afforded to other citizens."

I do not say that a juvenile court cannot or should not ever undertake to "punish" children, although I think that is an extremely narrow view of the problem. And, of course, it completely ignores the neglected child or the child who is "beyond parental control" – children who may be deeply disturbed but who surely are not "young hoodlums." But regardless of whether juvenile courts should sometimes punish children, it is evident that punishment is not the central justification for the juvenile courts as they exist today. If it were the central concern, we wouldn't need juvenile courts at all. We would need only a few more criminal court judges and some extra cells in the adult jails.

There are others who suggest that our juvenile courts exist to protect society. In the large view, I cannot quarrel with this concept. If we succeed in helping the child, we will have made our society safer also. Unfortunately, too much talk about protection ignores the element of treatment and rehabilitation. Then protection means nothing more than getting the child out of the way, getting him off the streets. If we are going to follow Justice Oliphant's advice and call a spade a spade, I'd like to call this particular spade preventive detention. Without discussing the constitutional or moral objections to preventive detention, I think I can assert with some confidence that it is not, nor does anyone claim it is, the only or even the primary purpose of our juvenile courts. Here, again, if removal from the streets were the goal, the criminal courts could provide the solution just as quickly and perhaps more effectively than a juvenile court, which is restricted to essentially non-punitive processes and whose jurisdiction is limited by the happenstance of the child's birthdate.

It is only when we turn to the treatment and rehabilitation of the child that we approach a satisfactory justification for our juvenile courts, at least as they exist today. I do not mean that punishment and safety are not factors to be considered, but I do claim that standing alone they do not and cannot provide suitable underpinning for our present system. The central justification for assuming jurisdiction over a child in an informal, nonadversary proceeding is the promise to treat him according to his needs.

We look around us and see that promise broken at every turn. It is full of cant and hypocrisy. And yet, it is made to do double duty. It is used to justify the informal nonadversary procedures of the juvenile court; used again to justify the child's confinement.

The Denial of Due Process

The Supreme Court now has a case dealing with a boy from Arizona, Gerald Gault. Gerald and a friend were supposed to have made a lewd telephone call to a neighbor. While his mother was at work, a probation officer took him into custody and questioned him. His mother returned home that evening, and neighbors told her that her son was "detained." She went to the detention home where the officer told her that a hearing would be held the following day. The hearing was held in the judge's chambers and no record of the proceedings was made. There was no lawyer. The neighbor did not testify, although, seemingly, Gerald admitted placing the call. When asked what section of the law Gerald had violated, the officer stated, "We set no specific charge in it, other than delinquency." There is considerable doubt about the judge's ultimate determination. At one point, he thought Gerald's phone calls amounted to a breach of the peace, elsewhere he said Gerald was "habitually involved in immoral matters" – a phrase used in Arizona's juvenile court statute – and again he stated there was "probably another ground, too."

Probably not a single justice of the peace in this country would permit an adult to be convicted in such a proceeding. According to the briefs and allegations in the Supreme Court, almost every ingredient of the civilized procedures and safeguards which we refer to as due process of law was missing: Gerald did not have notice of the charges, he did not have an opportunity to confront and cross-examine the witnesses against him, he did not have counsel, he was not warned of any privilege against self-incrimination, no appellate review was provided, and the lack of a transcript made subsequent review of what actually happened virtually impossible. I understand that juvenile proceedings are not criminal proceedings and that these procedures and safeguards are not necessarily applicable. It is important to notice, though, that the Arizona Supreme

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Court sought to justify these shortcuts because of the promise to treat the child. This is from the Arizona court:

"We are aware of the tide of criticism inundating juvenile proceedings. The major complaint deals with the informal, nonadversary procedure for determining delinquency rather than the treatment rendered after a finding of delinquency. On the other hand, juvenile courts do not exist to punish children for their transgressions against society. The juvenile court stands in the position of a protecting parent rather than a prosecutor. It is an effort to substitute protection and guidance for punishment, to withdraw the child from criminal jurisdiction and use social sciences regarding the study of human behavior which permit flexibilities within the procedures. The aim of the court is to provide individualized justice for children. Whatever the formulation, the purpose is to provide authoritative treatment for those who are no longer responding to the normal restraints the child should receive at the hands of his parents."

I do not find it objectionable to deprive the child of some procedural safeguards if the individualized treatment he is supposed to get requires the sacrifice and if the new procedures are reasonably fair. We should not blind ourselves, though, to what individualized treatment in our juvenile courts really is.

Blindness and Insensitivity

In the District of Columbia, for example, the juvenile court is overloaded with work. We have too few judges, too few supporting personnel, too few public institutions, and too few dollars. Last year, 10,000 delinquent children had their cases heard by a juvenile court judge in Washington. We have only three of these judges, so each judge had about 3,500 cases, about 14 a day. You can readily understand why 85 percent of the children "waived counsel" and "acknowledged" their involvement. With a case load of 14 per day, the juvenile judge simply cannot take the time to hold trials.

If our blindness extended only to these formal procedural matters, our juvenile court system would probably be in decent shape. But, in fact, blindness and insensitivity pervade the whole system. A short while ago, a Negro girl named Betty Jean from the slums of Washington was brought before the juvenile court. Her attorney asked for a psychiatric examination. He submitted the following facts: His client had commenced sexual relations at the age of 10; she was the mother of an illegitimate child; she was raped by a neighborhood boy at the age of 16; she had nightmares and saw people staring at her when the lights were out. A physician who had treated her from time to time added the opinion that Betty Jean was "known . . . to have been a disturbed child since early childhood" and that she needed "nothing short of a complete psychiatric study." The juvenile judge recognized that, under the law, he had discretion to provide for such an examination and that the community had hospitals available for this purpose. But he did not. Here is why:

"Such experiences are far from being uncommon among children in her socio-economic situation with the result that the traumatic effect may be expected to be far less than it would be in the case of a child raised by parents and relatives with different habits and customs."

So, sexual activity at the age of 10 – rape at 16 – are "far from being uncommon" in the slums, and Betty Jean's experiences would not touch her as deeply as they would others, and so the judge can deny her access to a psychiatrist.

Different people *may* be affected differently by the same experiences. But the insensitivity of the judge's statement and similar statements amaze me. And the statement contains an internal contradiction which wrenches the whole system.

This young girl came from the slums – a subculture which, according to the judge, insensitizes her and makes it impossible for her to respond to experiences which would traumatize the rest of us. Yet if Betty Jean could not respond to the rape, why the assumption that she could respond to other external stimuli – for example, the rules of behavior in our society. The judge never asked the question and with good reason. Its answer would undermine his confidence in the system which incarcerates Betty Jean.

For the purpose of denying her a psychiatrist, the judge saw that Betty Jean was a Negro from the slums; but for the purpose of putting her away, he did not, or would not, see the same thing. For that purpose Betty Jean might as well have been a white middle-class child from the suburbs, for it was white middle-class suburban values to which the judge was asking her to respond. Suburban children do not appear regularly before our juvenile courts. It is not that there is no delinquency in the suburbs, or that these children have no problems. But they have families and communities which are interested. And effective or not, at least they care and make the attempt. Betty Jean is the kind of girl we must deal with in the courts. And if we recognize that she is what she is for some purposes, how can we ignore that fact for other purposes?

I do not know how to make that promise to treat a child according to her needs a reality, and perhaps nobody does. But I do know that the first step is to awaken our consciousness to the fact that there is a promise. The people who are on the inside, running our receiving homes, and training schools, and prisons and

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hospitals, know that things are radically wrong, but they will not speak out. And the people on the outside do not want to see the truth, so they go through elaborate rituals in order to blind themselves.

When I was in California recently, I listened to a number of officials involved in the correctional process complain about the inadequacy of their facilities. And yet not one of these people had ever spoken out. It is as if they thought they were required to accept what was given to them. Everyone, from the guards to the psychologists had become society's janitors, fixing a pipe here and there, sweeping the floor, making sure the heat was on, but never once suggesting that the structure was faulty. My profession is undoubtedly the worst offender.

Learning What the Facts Are

We judges are a resourceful lot, and there are numerous legal doctrines we can use, and do use, every day to avoid seeing what is before us. Not many months ago, a federal judge in California received a hand-written complaint from a prisoner in a state institution. Such complaints are common and often without foundation in fact. And courts have adopted a shorthand method of ridding themselves of such matters. In the ordinary judicial opinion one reads that such complaints touch matters of "internal discipline" and that the courts cannot deal with these problems. Something in this particular pleading struck the judge and he ordered an evidentiary hearing. This is what he found: The prisoner was confined in a windowless cubicle, deprived of the basic rudiments of civilized existence including functioning toilet facilities so that the concrete box was lined with the stench of human excrement. The judge quickly forgot about "internal discipline" and ruled that the prisoner was being subjected to "cruel and unusual punishment" and directed the prison officials to remedy the situation immediately or else release the inmate.

I hope that there would be the same shock if judges would allow themselves to know what was happening to juveniles. But we don't. The other day, a severely disturbed 17-year-old sought a judicial hearing on his claim that he was being illegally held in our District of Columbia Receiving Home for Children without receiving any psychiatric assistance. He had been at the home for eight months awaiting disposition of a pending charge in the juvenile court. The judge did not hold a hearing to learn what the facts were – because, in his opinion, whether or not the child was receiving psychiatric assistance "was not germane to the lawfulness of [the juvenile's] confinement." I can scarcely imagine anything more "germane" to the "lawfulness" of the child's confinement than a claim – a claim which incidentally the attorney for the superintendent of the institution candidly conceded was true – that he was receiving no treatment at all, although he was desperately in need of it, and although the promise of treatment was the justification for holding the boy.

The fact that we are judges makes this deliberate blindness even more serious. A child comes before us and claims that he is being held illegally. The society asks us to say whether or not he is correct. There are some judges who think that they need only approve the way in which the juvenile home got custody of the child; that is, were the proceedings proper, was the order of confinement signed by the right person, and so forth. Even if this were the extent of our duty, and I do not think it is, society perceives that we are doing much more – namely deciding, in effect, that everything about the child's confinement is legal, the proceedings, the place of confinement, the conditions of confinement. The appearance becomes the reality, and in effect we are putting our stamp of approval on his confinement and on the whole system under which he is held. When we refuse to discover the facts we are participating in society's fraud – worse, we are the high priests in black robes who soothe society into thinking there is no fraud.

In a recent juvenile court record I studied, the disposition order was preprinted with two boxes: probation to the parents or commitment to the Department of Public Welfare. But there are, after all, other things which can be done – ranging from provision of foster care to more assistance for the child's parents, from community programs to sending the child to a private institution. An imaginative juvenile court judge with an imaginative staff could provide for some of these alternatives without further statutory authority. To be fair I must say that it is not simply a failure of imagination which limits the search for alternatives. It is also a lack of staff, of time, of public understanding, and of money.

In May of 1966 the Juvenile Court for the District of Columbia adopted a new policy memorandum outlining the factors which must be considered before a juvenile is waived to the adult court. It is now the juvenile court's stated policy that if treatment is not available the child should be waived. The question raised is clear: Are we to punish someone because the community has not provided the means and facilities for his treatment and, perhaps, cure?

If the juvenile court judges did require treatment for these youngsters, the judges would have to face the possibility that treatment itself is a ruse, at least when we are talking about mental and emotional disorders particularly associated with the slums. Perhaps we can never be satisfied with treating the individual unless we also treat his society.

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Pot Shots at Culture

Washington, D. C.

Rep. Frank Thompson is a culture buff and liberal Democrat from New Jersey; Rep. Durward G. Hall is a Republican from the Ozark Mountain region, who, when asked if he was a John Bircher, answered, "I'm not a member but the only reason is because I've never been asked." The two are at odds over the unmonumental issue of a $8,789 grant from the National Foundation on the Arts and the Humanities to help finance a study of the political and social influence of cartoons and comic strips. But there's more to it than that.

When the bill to establish the Foundation came up in the House in 1965, Hall and his colleague, H. R. Gross of Iowa, tried to laugh it off the floor. Why not, said Gross, add the following to the bill's definition of arts: "irregular jactitations and/or rhythmic contraction and coordinated relaxations of the serrati, obliques, and abdominis recti group of muscles – accompanied by rotatory undulations, tilts, and turns timed with and attuned to the titillating and blended tones of synchronous woodwinds." In brief, belly dancing. The House was amused but not persuaded. Minus the Gross amendment, the Arts and Humanities Foundation bill was signed into law by President Johnson on September 29, 1965.

The dispute broke into the open again when the comic study grant was announced this year, along with 84 other grants by the Humanities Endowment, a branch of the Foundation. Barnaby C. Keeney, chairman of the Endowment, insisted that cartoons shape history, citing the contribution of cartoonist Thomas Nast to the downfall of Boss Tweed in New York. "More recently," he said, "attitudes pictured daily in such strips as 'Little Orphan Annie' have been an important source of political ideas and attitudes for the young, and even those not so young."

Hall didn't disagree with that. He was just sorry that more members of the Supreme Court didn't read Dick Tracy regularly, because then they would be "more aware of the growing crime rate in America [and] perhaps we would not have had some of the decisions which have created such a flourishing climate for the rising crime rate." Still Hall lambasted the $8,789 grant, which is being made by David M. Kunzle, 30, a British citizen and an assistant professor at the University of California's Santa Barbara campus. Kunzle is also a foe of our Vietnam policy. Well now, here is a man, Hall charges, who "has no reservations about biting the hand that feeds him; about accepting funds from our Treasury while giving aid and comfort to those who are daily spilling American blood and whose taxes (incidentally) help pay his federal subsidy."

Kunzle's politics aside, the politics of comics deserves study. Major Terence Lee of "Terry and the Pirates" recently bagged a defecting Peking politico. Steve Canyon single-handedly foiled a Chinese communist plot to drop an atomic bomb on the Midwestern Combined Armed Forces Aids Benefit football game. Commander Buz Sawyer has aided a defecting North Vietnamese. Even Joe Palooka is involved in international politics; recently young King Abbso of Jyrobia challenged him to a heavyweight match, the champ would never have gone into the diplomacy racket at all had not a State Department official urged him to visit the King – "If Jyrobia throws in with the communist nations," Joe was told, "it will be the most unfortunate thing that could happen in the Middle East!" Little Orphan Annie, the pubescent 43-year-old comic strip heroine, has been fighting social welfare, education, culture and human love with a zeal equaling the Liberty Lobby's (the Lobby, incidentally, has got into the cartoon business, distributing a 16-panel strip slamming the idea of a Soviet consular treaty).

Rep. Hall has demanded Kunzle's grant be rescinded and that the budget of the Foundation be reduced. Thompson answers that the Foundation was intentionally structured so that political pressure of this sort would not influence the granting of funds.

The comic-strip episode might deprive the Arts and Humanities Foundation of its full appropriation and thereby handicap more important projects. That is its danger. In this fiscal year the Foundation is spending $300,000 to train museum personnel, badly needed now, with 300 million people visiting American museums each year. Several grants are aimed at improving educational and instructional television. The relatively small amount authorized so far by the Foundation for the humanities – $4.5 million – already makes it a prime source of financing for achievement in this area.

The Foundation has had $14.5 million in federal funds for the current year, which included unexpended money from the prior year. It is asking $16.2 million for the coming year to help train more humanities teachers, to assist orchestras and national opera and theatre companies to reach new and larger audiences and for similar projects.

Stop this foolish waste of the taxpayers' money, says Mr. Hall. Mr. Thompson is philosophic. Mark Twain said it is the will of God that we must have congressmen and we must bear the burden. But the burden in this instance, says the Democratic congressman from New Jersey, "could be a frightening intellectual bankruptcy."

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STANLEY KAUFFMANN *Lord Russell's Youth*

How does one review a book by a man of 95? Especially when he says, in this work published in 1967, "Intellectually, the month of September 1900 was the highest point of my life." Abstractly, the facts might urge gentleness or pity; but, specifically, the man is Bertrand Russell and the facts are, in a heart-warming way, amusing. The writing of this book* is an act so compounded of stubbornness, amazing energy, and conscious anomaly that its mere existence makes one chuckle.

But there is much more to it than geriatric virtuosity. In the light of Russell's recent writings and of his proposed tribunal to try the US for the Vietnam war, the reader justifiably approaches this book with some skepticism, some fear of rightminded wrongheadedness. The fear is out of place. This volume of autobiography, which covers the years from his birth to the First War (a 42-year fraction of his life), has its shortcomings. It shows (assuming this to be a shortcoming) the roots of his anti-American feelings; it has a certain skimpiness and is needfully supplemented with many letters, even with schoolboy reflections that were written originally in Greek; it omits some facts that can be found in the corresponding chapters of the biography by Alan Wood (1957). But it is a composed work in several senses: certainly less full-bodied than the book he might have written at 80 (!), but a long and happy remove from the maunderings of a dodderer, much more balanced and comprehensively viewed than might be expected after his recent polemics. Possibly one of the reasons he waited so long to publish this book is that now he can speak frankly – in emotional candor, not clinical detail – of his first marriage and other amours of the time. It is not an attempt to rewrite *My Secret Life;* these are his secret and public lives – sexual, spiritual, intellectual.

The *curriculum vitae* – birth, background, posts, publications – is already well-known. What this book gives us is his own view of how he became the character that he was in 1914, which is not the character he is now. He has had several transformations en route, in interests and opinions, some of the latter quite abruptly changed. He began his adult life determined to lead a life of the mind – of some kind. He was financially independent; he came from the aristocracy at a time when that class felt some *noblesse oblige* toward intellectual and political service (although he was much more radical in both modes than most of his peers). The search for the best way to invest his life has probably been the dominant ethic of his life. In 1913 he wrote to a friend: "I feel as if one would only discover on one's death-bed what one ought to have lived for, and realize too late that one's life has been wasted." The prologue of this book, which is called "What I Have Lived For," begins:

> "Three passions, simple but overwhelmingly strong, have governed my life: the longing for love, the search for knowledge, and unbearable pity for the sufferings of mankind."

The line will doubtless be much quoted; indeed, the quoting has already begun. Good.

The shaping – the *first* shaping – of his intellectual bent is one of the chief interests of the book. In the beginning all he really knew was that he wanted to see, study, think, write. His first book was a far reach, a work on German socialism. He became more and more drawn to the philosophy of mathematics, and between 1903 and 1910 he wrote *The Principles of Mathematics* and (with Alfred North Whitehead) the first volume of *Principia Mathematica.* He tells us that the stress of this work, aggravated by personal difficulties at the time, was very great.

> ". . . I persisted, and in the end the work was finished, but my intellect never quite recovered from the strain. I have been ever since definitely less capable of dealing with difficult abstractions than I was before."

It is a commonplace that mathematicians often do their most creative work in their thirties, so this self-judgment seems unduly harsh, particularly in view of later accomplishments. But the focus of his studies did begin to shift at about this time.

The other chief interest is the personal: his portraits of his first wife, of his first mistress Lady Ottoline Morrell, of such friends as Whitehead and Conrad. (Some of this latter material has been previously published in *Portraits from Memory.*) There is a full and seemingly fair description of a marriage conceived in Victorian idealism, devoted to Higher Things, and inevitably doomed. The affair with Lady Ottoline, after nine years of self-denial by Russell, flared quickly and fiercely, and can just be seen to be fluttering out as this volume ends.

There is a poignant note in his mention of men, now dead, who were newcomers when he was already established: Keynes ("Keynes's intellect was the sharpest and clearest that I have ever known"), Norbert Wiener, T. S. Eliot, who was a post-graduate student of Russell's when the latter lectured at Harvard. (Eliot's poem "Mr. Apollinax" is about Russell at that time.) The roll of these names is a wry reminder that life, besides being short, is also long.

Russell has always had and deserved a reputation as a wit. Nine and a half decades have not dulled it. Speaking of his mother's austerity:

> "Having in later years come to know Mrs. Sidney Webb well, I conceived a considerable respect for my mother's seriousness when I remembered that to her Mrs. Webb seemed frivolous."

Of his grandmother, the Prime Minister's widow:

> "Turgenev once gave her one of his

(Continued on page 30)

* *The Autobiography of Bertrand Russell 1872-1914* (Atlantic-Little, Brown; $7.95)

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A Marxist in London

by William P. Gerberding

Isaac Deutscher has enjoyed the attention and respect of surprisingly diverse elements in the West for over 20 years. His historical writings, especially the biographies of Trotsky and Stalin, have been regarded in many bourgeois circles as valuable and serious contributions to scholarship.

Yet Isaac Deutscher is a doctrinaire Marxist. He sees the world through rigidly orthodox Marxist lenses and, far from trying to hide or obscure this fact, he lets it shine through virtually every page he writes. How has he managed, quite uniquely, to achieve an enviable reputation as a political analyst in the West where he lives but of which he basically disapproves?

Ironies of History
Essays on Contemporary Communism
by Isaac Deutscher
(Oxford; $5.95)

Part of the explanation is his lucid and vivid writing style. He is usually engaging and provocative, sometimes even when his dogmas fatally obscure his perceptions. Moreover, as a former Polish communist – he was expelled from the party in 1932 as an anti-Stalinist, and he moved to England in 1939 – he often gives the impression that he is very much "on the inside" of developments in the communist world. It is fun to read him. He apparently has a multitude of well-placed sources and, while their reliability may often seem more dubious to his readers than they do to him, even wary readers often have the feeling that they are, through Deutscher, being given a glimpse of some communist corridors of power. In the absence of Soviet analogues to James Reston and Drew Pearson and *Time* magazine, many communist-watchers, especially laymen, are always at hand to welcome Deutscher's "revelations."

And some of his essays are sensitive and moving, even if one is not quite sure about their validity. In this volume, for example, his commentaries on such figures as Plekhanov, Rokossovsky, and Trotsky are products of a talented and practiced biographer.

Most of the essays in *Ironies of History* have been published earlier in a variety of journals, but there are also several BBC commentaries and his May, 1965, speech to the Washington "Teach-In." Many of the circumstances and developments he discusses are genuinely ironic. But the primary ironies emerging from this book are related to the combination of Deutscher's dogmatic ideology and his considerable stature in the West.

My nomination for Irony Number One is the spectacle of a sophisticated and presumably humane author declaring (in December, 1956) that while the anti-communist Hungarian struggle of 1956 was "the ardent work of a whole insurgent people," nonetheless in their "heroic frenzy" they were trying "unwittingly to put the clock back"; and, therefore, as between these Hungarians and the Russian interveners, "it is difficult to say who it was who acted the more tragic, and the more futile or hopeless role." The tragedy of the Hungarians, in this Marxist view, was not that their revolution was suppressed; rather, it lay in their efforts "to put the clock back"!

The "clock" is, of course, the Marxist clock, which records the march of Necessity through History. It can be turned back, but its ultimate "progress" is predetermined and unavoidable. The book is permeated by this doctrine, this faith; and it skips over many of the tough questions. It is unsporting to mention it, but such bourgeois concepts as political and cultural freedom – now, not in the great by-and-by – are scarcely even alluded to. And Deutscher's rather recent certitude about the imminent productive superiority of the Soviet economic system is conveniently omitted.

Needless to say, a mawkish sentimentality about "the masses" and especially "the workers" crops up repeatedly in his essays. The workers, suppressed and exploited by the Stalinists and the bureaucracy, remain the truly "progressive" element who are bound to rise up against their tormentors and bring to fruition at last the promise of the revered October Revolution. What is the current (1965) situation?

> "There is no need to idealize the state of mind of the masses. Nearly half of a century after the October revolution some Soviet workers, peasants and intellectuals are still infected with virulent chauvinism, even with racialism; and the same is no doubt true in other countries of the Soviet bloc. . . . Deep down in the people, and in the intelligentsia, there are at least two large currents of thought, one tending towards internationalism, the other towards nationalism. Indeed, at every level of Soviet society these two trends have been struggling with one another. An open confrontation between them would almost certainly weaken the reactionary elements and enhance the progressive ones. . . . It is difficult to imagine that a duly informed Soviet public opinion would ever have approved as unscrupulous an

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attack on China's vital interests as the recall of the Soviet specialists."

The depths of the dogma-drenched naïveté that lies behind these assertions is surprising in a man as worldly and knowledgeable as Deutscher.

In the same vein, and in a paragraph in which he ridicules Western Point Four programs, he blandly asserts that "the Soviet worker has begun to 'finance' in all earnestness the industrialization of the underdeveloped communist countries; and he 'finances' it out of the resources which might otherwise have been used to raise his own standard of living." One is tempted to comment about his embarrassed use of quotation marks, but a more important issue is why he suddenly seems to believe that the heroic workers have – in this single area – set the Soviet government's policy. They haven't, of course; it is still Deutscher's hated "bureaucracy," so we're back to wondering how the Soviet worker *really* feels about this charity (meager as it is). Otto Passman could probably make a more reliable estimate about this than could a Marxist ideologue.

Isaac Deutscher keeps the faith. While mentioning Trotsky's "nostalgia for the heroic period of the revolution," he avers that now (1959) "a new Soviet generation is looking back to that era almost as much as he did. . . ." Thus, Trotsky was "the great precursor of another [era], which is only beginning." "History" is not mocked; the simple purities and Truths of the October Revolution are reemerging; the millenium does approach.

Meanwhile, Deutscher lives in London. This consideration, plus his own frequent use of analogies between political and ecclesiastical affairs and his unswerving faith, suggests the following allegory:

Once upon a time, there was a believer-heretic-saint, who, in order to avoid the stake, chose to live among the heathen and who made his living by making insightful and delightful commentaries on how the Church hierarchy was defiling the True Faith. And all the while he continued to believe not only that the Church's doctrine – correctly understood, of course – was sound, but that the Institution that professed it was bound to be purified and to square its performance with its teachings. At the same time, there were those who believed that there was something to be said for the oddly dynamic and alluring practices of the heathen. But the believer-heretic-saint knew better because he had glimpsed Truth.

His life was full of irony.

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Last Flight from Dallas

by Joseph Featherstone

You may have heard by now that *William Manchester's* sensation contains a staggering amount of information and there are patches of good reporting throughout the 647 pages. Barring new revelations, his step-by-step reconstruction of Lee Oswald's movements in the hours leading up to President Kennedy's assassination is about as close as we are likely to get to that event. Similarly, the account of Jack Ruby's entry into the Dallas police station is a piece of careful documentation that establishes once and for all the stupid complacency of the Dallas police. I was impressed, too, by the portrait of President Johnson. I didn't read the *Look* series, but had listened to talk about it, and I was surprised at the generous treatment of Mr. Johnson, at least in those rare moments when he is visible through the steam of Manchester's adulation for John Kennedy. By this account, Mr. Johnson was an awkward man who tried to behave admirably in an impossible situation; and succeeded.

The Death of a President
by William Manchester
(Harper & Row; $10)

For the rest, *The Death of a President* is an ugly and pointless book, written in a garish style that parodies the New Frontier's own rhetoric. Manchester explains, among other things, his method of fashioning History:

> ". . . I approached every person who might shed light upon this complex of events. I retraced President Kennedy's last journey from Andrews Field to San Antonio, Kelly Field, Houston. . . . Every scene described in the book was visited: the rooms in the executive mansion, Hickory Hill, Brooks Medical Center . . . the pavements of Washington, the pews of St. Matthew's . . . back and forth through the compartments of the Presidential aircraft. . . . I darted over the last lap of Oswald's flight to the Texas Theater. . . . I studied each pertinent office, embassy, and home – over a hundred of them – right down to the attic mentioned on the last page of the epilogue of this volume. . . . I even had the damaged Dallas-to-Bethesda coffin uncrated for inspection. . . ."

What is striking is the intensely-felt quality, the chanted repetition of the first person pronoun emphasizing Manchester's gloating obsession with all he

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had collected. He has the true collector's mania. Here he tells History about the presidential traveling party:

"There were S teams, D teams, W teams, secretarial pools, political advisers, medical men, the military, the luggage crew. . . . Each group had a standard trip drill and a bible. The luggage bible, for example, began with a pretrip trip to a closet beside the carpenter's shop in the White House basement. There, on the night before each take-off, an Army master sergeant extricated two portable three-inch plywood bedboards and a five-inch horsehair mattress and sent them via truck to the MATS (Military Air Transport Service) terminal at Andrews Field for loading. . . . Every member of the party was issued a 3x5 card telling him his own position in the caravan and everyone had been issued an identification pin. The background color for these changed from trip to trip, but the patterns were constant. Those for staff members were elliptical, with a dot in the middle. . . ."

If this were more lighthearted, you might mistake it for Tom Wolfe's campy parajournalese, which often consists of long meaningless catalogues of miniskirt fabrics or lipstick shades or whatever. But Manchester is dead serious – I'm certain he never thought of smiling when he wrote the phrase "pretrip trip." It is this collector's passion that makes reading *The Death of a President* such an eerie experience. Certain writers – Dickens, for example – are able to communicate such an intensity of interest to the reader that common objects in their stories come to life and play out a surreal drama of their own. Elements of this exist in Manchester. All these scraps, these feelings for people's feelings, are gathered up the same greedy way as room furnishings and colors of automobiles – are so important to him that the reader comes to half-believe in their importance, the way a crowd will gather around a man staring fixedly into empty air. It is hard to stop reading even the most fatuous passages. Thus dreamwalking, you pass through a description of how Dave Powers and somebody else picked out a coffin, and you scarcely notice when the collector, mindful of his obligations to History, has broken in again with his obsessive voice: "Tampering with their moving account is a pity, but the Irish, as John Kennedy once noted wryly, are not noted for their accuracy, and the casket in which he was to be buried is obviously a matter of some historical interest. Undoubtedly. . . ." Obviously, undoubtedly – the adverbs trail off down the winding mazes of Manchester's mind.

This is history in the sense that the souvenir hunters who put in bids for Lee Oswald's rifle are historians. There is only this ransacking of the past for its artifacts, as though if we picked up enough souvenirs, we could recreate the events and reach the men and women who lived them. With enormous labor, Manchester has constructed a kind of mad waxworks, bizarre, even repulsive, for strewn among the cameras, cars, weapons, notebooks, letters,

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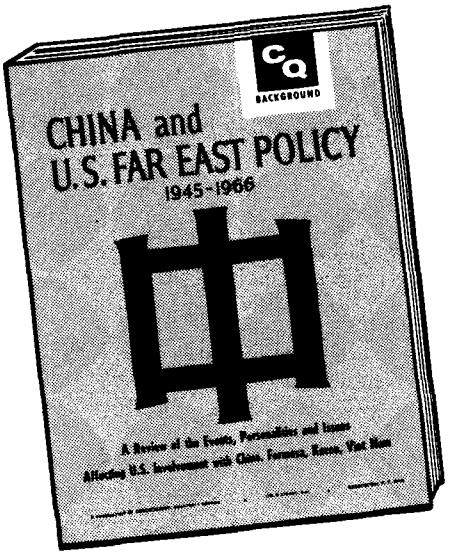

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and airplanes are bits of feeling and real human voices, fondled and then embalmed in purple prose, so that they, too, can be open to the public twenty-four hours a day.

Large tracts of the book present the appearance of a narrative. But then the chronology breaks, and the collector is forced to assign some sort of meaning to his specimens. His incoherence on these occasions, the wildly over-killed – if that is the proper phrase – metaphors, reveal how deeply and inappropriately implicated he is in his material. You get a taste of this in the foreword where instead of simply stating that he will not use footnotes, he feels obliged to put the matter in this odd way: "The moment I began to write I went to the mat with the issue of annotation. I arose with a painful verdict: no page-by-page footnotes. . . ." This distraught rhetoric pervades the chronicle. Right after the gruesome descriptions of the doctors' vain attempts to save President Kennedy's life, a new paragraph begins: "This was the hour of David Brinkley's private ordeal." The "ordeal" turns out to be a fashion show that was occupying airspace that should have been reserved for the news from Dallas. We become numb to this warping of perspective, or else we begin to skip the crazed interpretive passages. For example, on Lee Oswald:

> "Still there he is. He will not go away any more than John Wilkes Booth and Vidkun Quisling will go. They stain the pages of our texts, and so will he. Crucified and the crucifiers, Balder and Loki, Eichmann and the Jews are united in time's unscrupulous memory, and righteousness cannot divorce them. Yet inspecting opposite sides of a coin is difficult, especially when they must be examined at the same time, and in this crime coeval observation is necessary. The events of November 22, 1963 were synchronic. It was as though the Axis powers had surrendered, and Adolf Hitler and Franklin Roosevelt had died in the hours between noon and mid-afternoon in Washington of a single day in 1945."

The most vulgar sections of *The Death of a President* deal with Mrs. Kennedy, the state funeral, and the countless and pointless reminiscences of private grief. But the conventions we have for dealing with death are so inadequate that we even find ourselves touched by this mortuary poetry. We like to imagine that we are no longer quite as moved as our grandparents were by locks of hair, scrapbooks of funereal verse, paintings of tombs, weeping willows, and noble bereaved lovers. But is Manchester's waxworks so different, after all, from the lugubrious stupidities Mark Twain made fun of in *Huckleberry Finn*?

> "Despised love struck not with woe
> That head of curly knots,
> Nor stomach troubles laid him low,
> Young Stephen Dowling Bots.
>
> O no. Then list with tearful eye,
> Whilst I his fate do tell,
> His soul did from this cold world fly,
> By falling down a well."

It is such a relief to come across other voices besides Manchester's sentimental, cracked keening. I remember two with particular gratitude. The first was Charles de Gaulle's: "As I grow older I think we are too casual about death. Why is it that only in your country and mine do we have this fringe of violent men?" The second was Daniel Patrick Moynihan's, saying, "We all of us know down here that politics is a tough game. And I don't think there's any point in being Irish if you don't know that the world is going to break your heart eventually. I guess we thought we had a little more time. So did he."

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The Virtues of Verbosity

by Lawrence Graver

In the late 1740's, when *Clarissa* was reaching preposterous lengths, Samuel Richardson happily accepted the reassurance of a friend, who told him: "You have formed a style . . . where verbosity becomes a virtue . . . redundance but conveys resemblance and to contract the strokes would be to spoil the likeness." With proper allowance for the differences between genius and talent, something of the same argument can be made for Anthony Powell's *A Dance to the Music of Time*, now (with its eighth volume) two-thirds done. The effect of the series is cumulative; all that happens in *The Soldier's Art* depends for force and meaning on the preceding seventeen hundred pages, and on the thousand pages yet to be published. Just as the abridgement of *Clarissa* distorts a book whose length is part of its power, so if Powell were to contract the strokes of his *roman fleuve*, he would spoil the likeness, and the fun.

The Soldier's Art
by Anthony Powell
(Little, Brown; $4.95)

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The "likeness," of course, is Powell's England between 1914 and the present, and the novelist's aim has been nothing less than "to produce a really large work about all the things I was interested in – the whole of one's life, in fact." The latest installment takes place between the Spring of 1940, when the Germans are occupying France, and June, 1941, when they turn to invade Russia. Suffering under the early days of the blitz, the English daily anticipate invasion; and second lieutenant Nicholas Jenkins, the narrator of the entire series, assists Major Widmerpool in a training unit outside a provincial city.

In two respects, *The Soldier's Art* is an impressive addition to the series. Powell extends his analysis of military society which began in *The Valley of Bones* and deepens the individual portraits of Widmerpool and Stringham, now among the notable creations of postwar fiction.

On the opening page, Jenkins buys an army greatcoat in a Shaftesbury Avenue store selling theatrical as well as military supplies. The old shop assistant mistakes him for a performer in *The Middle Watch*, an antique farce about the Royal Navy, and when Jenkins denies being an actor, the clerk compounds the error by casting him in a drama called *The War*. The mild comic confusion at the start provides links with the earlier books and clues to the direction of the novel to come. For a new reader, the greatcoat is a greatcoat; for the initiated, it recalls the coat made legendary by Widmerpool in *A Question of Upbringing*, the first novel of the group. And, as we learn later, Jenkins does have a walk-on part in a middle-class tragi-comedy, not an epic.

In this context, the novel's title is markedly ironical. Taken from Browning's "Childe Roland to the Dark Tower Came," it has – as Stringham boasts – "about twenty meanings": "Think first, fight afterwards – the soldier's art." In Powell's view, the soldier's art is demonstrated not in significant thought or action, but in grumbling, shirking, self-aggrandizement, and the strident humiliation of others. With the Germans busy across the Channel, the officers and men of Jenkins' division scheme to outwit their rivals and gain higher rank. Among the main areas of action are F Mess, the Mobile Laundry, and a requisitioned sports pavilion; and the phrases "I don't know, sir, I'll find out," and "the man in question has been transferred to another unit," become the great army "formulae of exorcism." Major Widmerpool tries to discredit Colonel Hogbourne-Johnson by investigating the suspicious bookkeeping of his chief clerk; while the Colonel retaliates by unjustly dressing down the Major for his role in a traffic tie-up.

From the start of *The Music of Time*, the contrasting careers of Stringham and Widmerpool have been one of Powell's most insistent thematic concerns. As schoolboys with Jenkins in 1921, they were polar opposites:

> "[Stringham] was tall and dark, and looked a little like one of those stiff, sad young men in ruffs, whose long legs take up so much room in 16th-century portraits: or perhaps a younger – and far slighter – version of Veronese's Alexander receiving the children of Darius after the Battle of Issus. . . . His features certainly seemed to belong to that epoch in painting: the faces in Elizabethan miniatures, lively, obstinate, generous, not very happy, and quite relentless. He was an excellent mimic, and, although he suffered from prolonged fits of melancholy, he talked a lot when one of these splenetic fits was not upon him: and raged with extraordinary violence when excited."

If Stringham's fascination rested on the hint of turbulence beneath the surface of his vivid, aristocratic charm, Widmerpool's dullness seemed to mark no depths at all. Hardworking, sullen, insensitive, without grace of thought or movement, he was the school's model of drab predictability. Yet even he was not without a certain exoticism. Once, when accidentally hit between the eyes with an over-ripe banana by the captain of the cricket team, Widmerpool responded: "I don't mind, Budd, it doesn't matter in the least," and Jenkins made note of the pleasure he took in being debased by a superior.

Later in life, as both Widmerpool and

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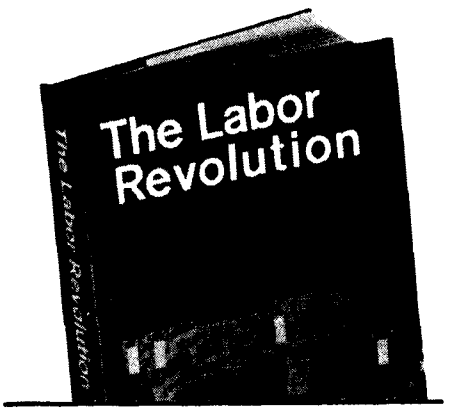

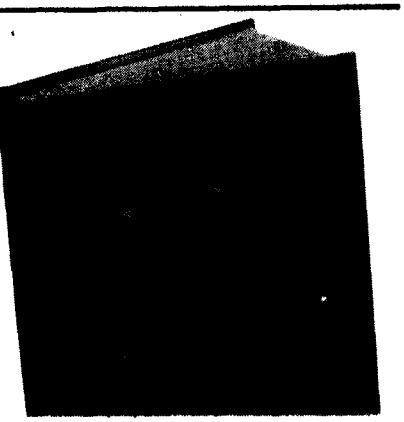

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Stringham keep crossing Jenkins' path, their careers fall into complementary rhythms. In a series of splendid comic episodes spread over six volumes, Widmerpool becomes a knight of infinite humiliation, a contemporary Quixote, without the Don's grace of imagination. At a fashionable party, the girl he worships drenches him with sugar; at a house in France, his face is etched crudely on a bathroom wall; in London's Bohemia, he is forced to pay for a girl's abortion; and, finally, in an attempt to marry, he is spurned by a widow who faults his performance in the bedroom. Observing these events, Jenkins is struck by Widmerpool's slavish attraction for the person who inflicts the punishment. Remarkably enough, despite his capacity for abjectness (or perhaps, in part, because of it), Widmerpool becomes increasingly successful in the London financial world.

Stringham, however, is cursed by inner frailty. At Eton, he sometimes looked seraphic, "a carved figure symbolizing some virtue like Resignation or Self-sacrifice," and at Oxford, he spoke often of joining the Foreign Legion, or of being received into an Oriental religion "whose only tenet is complete submission to Fate." After an abbreviated business career and an unsuccessful marriage, he starts drinking heavily and lives in the care of his mother's secretary. For long periods of time, Stringham drops out of Jenkins' life, but when he does reappear the effect is dazzling. Towards the end of *Casanova's Chinese Restaurant*, he turns up uninvited at his mother's party, and within minutes captivates a group with his idiosyncratic charm. But at the height of this emotional triumph, he is suddenly drawn away by his caretaker's implicit, "Come along quietly, Charles."

As *The Music of Time* unfolds, Widmerpool – the cheerless opportunist – has become representative of a new force in the British social scene; while Stringham is one of the last of an insufficient spiritual aristocracy. The symmetrical arcs of their ascendency and decline are, for Powell, symbolic of a dispiriting change in the social order.

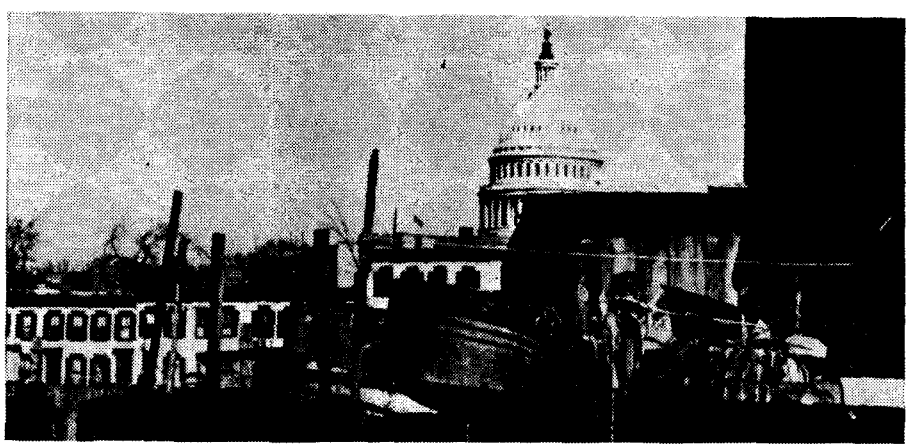
This continuing contrast is adroitly handled in *The Soldier's Art*, where, for the first time, Widmerpool is closely observed exercising power. Still "an embodiment of thankless labour and unsatisfied ambition," he has become nevertheless more formidable, for now the figure of fun has the capacity to damage. When Stringham turns up as a private to wait on tables in the officers' mess, Jenkins asks Widmerpool if their friend might be transferred to a less uncongenial job. After Stringham is assigned to the Mobile Laundry, Jenkins is pleased, but he soon learns that the laundry unit is about to be shipped overseas. Widmerpool acted merely to eliminate a potential source of embarrassment. Recalling Stringham's youthful jest eighteen hundred pages earlier ("that boy will be the death of me"), the reader uneasily awaits Volume Nine.

Despite Jenkins' efforts, nothing can be done for Stringham, whose ironic sense of his own vulnerability, mixed with innate restlessness and muddled romantic idealism, leads to paralysis of the will. Confessing time and again to an insufferable narcissism, he keeps asking Jenkins to "tell me about yourself," and then, in a characteristic gesture, doesn't listen.

At the close, Widmerpool's ice-cold egotism turns on Jenkins himself. Learning of his own appointment to a prestigious office, Widmerpool tells Jenkins (a friend of twenty years) that he will do nothing to get him an acceptable assignment:

"You seem aggrieved. Let me point out there is nothing startlingly brilliant in your own work – your industry and capabilities – to make me press for a good appointment for you. In addition to what can only be regarded as mediocre qualities as a staff officer, it was you, and no other, who saw fit to involve me in the whole Bithel-Stringham hash. That might well have turned out very awkwardly for me. No, Nicholas, if you examine your conscience, you will find you have very little to grumble at.

He sighed, whether at my own



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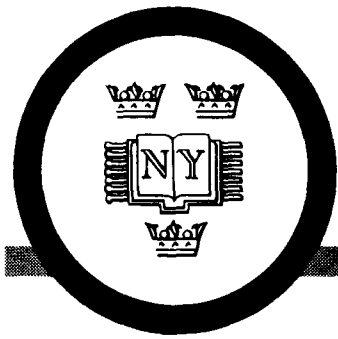
ingratitude or human frailty in general, I was uncertain."

As *The Soldier's Art* ends, Germany invades Russia and Jenkins is surprised by an order to report to the War Office for his next assignment. Volume Nine promises to take Jenkins, Widmerpool, and Stringham into more violent arenas, where both the characters and the resourcefulness of their creator will be tested in a variety of new ways.

The major challenge will be character development. Throughout the series, Powell's goals have been those of the traditional English novelist: to convey a complex sense of society and to investigate the moral nature of specific individuals. As a social panorama, *The Music of Time* is already the most comprehensive and convincing thing of its kind since *Parade's End;* but a verdict on its success as a novel of character will not be possible until the series is completed. Certainly, as a comic miniaturist in the manner of Fielding, Powell can hardly be faulted. From Sillery to Gwatkin, from Uncle Giles to General Conyers, dozens of his portraits remain triumphs of the caricaturist's art.

But clearly, in Jenkins, Stringham, and Widmerpool, Powell is attempting to create men who are not only Humor figures but complex human beings and social emblems. So far, he has been able to play a surprising number of comic variations on Widmerpool's pompous self-absorption, but the posturings are in danger of becoming predictable. There are, in *The Soldier's Art*, static scenes which demonstrate things about the characters we already know; and both Widmerpool and Stringham seem so memorably fixed in their rigid patterns of success and failure that it is hard to imagine them different from what they are at their present level of development.

But predictions about *The Music of Time* have proven foolish in the past. When reviewers complained of the dryness of the fifth and sixth volumes, Powell responded with a new subject and a fine new character in *Valley of Bones*. Waiting for Powell is one of the few consolations for regular readers of British fiction.



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ART

A God Made Manifest

The show of the moment in the nation's capital is a fascinating collection of the drawings of Inigo Jones, the impresario and scene painter of the Stuart court. Brought here from the ducal collection of the Devonshires at Chatsworth by the new National Arts Foundation and exhibited at the National Gallery prior to a countrywide tour, these designs for masques with

Jackson Pollock Retrospective
Museum of Modern Art, New York

Ben Jonson's poetry and scenery, costumes, lights and overall regisseuring by Jones, are lovely to see. Possibly, they helped convince the Stuarts of their divinity, from which notion they were disabused by Oliver Cromwell and the block.

Elsewhere in Europe may be seen the similar labors, a century later, of Gianbattista Tiepolo on behalf of the Hapsburgs. The glory of that grand old family is now reduced to decisions and revisions by Otto as to whether he will set foot in a minor country of Western Europe and if so when.

Apotheosis by artists, although formally an invention of the Renaissance, is as old as art. But it has remained for our own time to reverse the process; the artist does not glorify but is gloried. Of the apotheosized artists, the first and the most was the late Jackson Pollock, whose large retrospective suggests that the fate of painters made divine may be dolorous as that of the poor kings.

When the lights went out on Inigo's stage in Whitehall, there were the poor Stuarts with their staring eyes and grabbing hands. When you left Tiepolo's magic skies, there were the Hapsburgs, with their lips and noses, their fancy blood disease and their boundless avarice. When the lights go up at the Museum of Modern Art, there is nothing but the melancholy reminder, in work after work, that Pollock wasn't a very good painter. His substantial inadequacy shows in the very earliest of the works on view, those of the middle and late thirties, and continues without pause right through the drip paintings that made him a god in the late forties into the last flounderings about for something new, a form of very large drawings combining some of the images he earlier took from Picasso with the casual manner of paint application that was all his own.

The inclusive exhibition has in it a string of drawings after the masters Pollock was directed to by his teacher, Thomas Hart Benton. Some of these are bordered with reductions of forms to solid geometry, which is interesting in view of later developments. There is one ambitious drawing of a figure composition by Michelangelo which comes out pure Blake. It is difficult enough to accept Blake's own Michelangelesque anatomies, with all the muscular power transformed into sacks of soggy oatmeal, but somehow the total package of drawings, color-prints, poetry and, at root, sheer intensity of vision, does carry. It carries, in Blake, because the artist focused his vision on something other than the work itself. He may have been batty, but his battiness circled around the outside themes of God and man. Pollock's not unrelated weaknesses of draughtsmanship had nowhere to center but upon themselves.

The Picassos by Pollock are more nearly original, more nearly worth looking at than are any of his other derivations, from Benton for instance, or from Miro.

The show contains the famous instant mural created for Pollock's pa-

NOTES ON CONTRIBUTORS

William Gerberding *is Associate Professor of Political Science at the University of California at Los Angeles.* Lawrence Graver *is a member of the English department at Williams College.*

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tron, Miss Peggy Guggenheim. It is not drip but it is a very swift way of covering lots of ground, a simple, fluid pattern – rather Blakean when you think of it – suggestive of giant vegetable forms of some kind endlessly repeated. From there it must have been but a step to the drip.

The drip achieved, the heart of the exhibition is a series of bigger than lifesize blowups of the famous Hans Namuth photos of Pollock at work. As you move from one major part of the show to the other, you go down a corridor lined with the pictures. By design these hold the show together, and it seems that such photos and their implications are what have held the whole Pollock apotheosis together over the years, are indeed what made it in the first place.

Certainly the paintings themselves did not. A work like "Blue Poles" stands out simply because of those leaning verticals and their gift of just the shadow of organization. With the exception of a few of the smaller, quieter, less chock-full works, especially three or four in green, yellow and black on white, the drips are chaos and rather dull chaos. Pollock has little sensitivity to color. Many of the big paintings – "Lavender Mist," for example – are simply bland (that one being a dirty pink).

Within the drips there is no consistency. Sometimes they work, on their own terms, which is not saying much, sometimes they don't. You have the feeling that when they do it is by accident; the master's hand simply happened to fall upon the right can of paint, the right color, that day. Bad things demonstrably outnumbering good things in all fields, that which is left to chance usually turns out badly, just on percentages.

The idea of chance and the accidental and the free flow of unpremeditated art, Pollock may have absorbed from the refugee European Surrealists who were taking the free lunch at Peggy Guggenheim's. He would already have absorbed, from Benton, the idea of an all-new, all-better-than-ever, American painting and, from both sources, the idea of the painter as hero. It remained for a quickly gathered little band of publicists, dealers, touts and tipsters to transform the hero into a god.

There were, in the early forties, sufficient, if not good, reasons to deify a painter. Probably foremost was that the "God that failed" for so many intellectuals at that time failed nowhere more ignominiously than in New York, which had a whole generation of suddenly unchurched believers. Pollock and painting opened ecclesiastical doors for them to come in out of the agnostic cold.

FRANK GETLEIN

Correspondence

Progress in Vietnam

Sirs:

I read your note of March 18 on "Progress in Vietnam" after returning from a trip which included visits to about ten widely scattered areas away from Saigon. And the Vietnam which you discuss seemed to have very little relation to the Vietnam which I had seen.

One of my main impressions was the very great variation between different areas and between the good and the bad performance in most programs. And your editorial seemed to be based on presenting the worst as typical.

You complain that the Saigon authorities "drag their heels on a simple amnesty measure, aimed at bringing over high-ranking Viet Cong officers . . . ." But most areas I visited reported a steady increase in the numbers of Viet Cong coming over under the existing amnesty program. In one province the difficulty was that the numbers were overloading the facilities set up for handling them.

You suggest that nothing has been done in the field of land reform. In fact, there is a fairly good land reform law, dating from the Ngo Dinh Diem regime, which limits rent to 25 percent of the main crop. What seems to be required is not a new land reform law but more effective enforcement of the existing one in areas where land is scarce, and much more rapid action to clear up a general confusion on land titles.

Where rural reconstruction work has made some progress it produces something very different from your picture of the impoverished, insecure and heavily exploited tenant farmer. I met one tenant farmer, in the Delta, who said that he paid 15 percent main crop rent on land which his family had farmed for three generations and that, by growing new crops with the advice of a Chinese team, he was earning enough to send his son to Saigon University.

Most present Vietnamese farming is very inefficient by Chinese or Japanese standards and there seemed to be general agreement that agricultural productivity would be increased several fold within a fairly short period. Even now many government-held areas benefit from "self-help" projects under which the villagers provide the labor and local raw materials for new schools, bridges, or wells while USAID provides mainly cement and roofing.

You quote a report of failure to pacify hamlets "within a stone's throw of Da Nang air base," and I visited one place where people thought it necessary to take rifles when making a daylight visit to a village about two miles from provincial headquarters. However, at the other extreme, Angiang province

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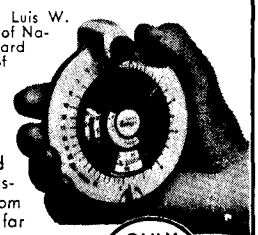

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is considered 95 percent pacified, (there are raids from Viet Cong forest and mountain bases in adjoining provinces), and foreign agricultural advisory workers were living in the countryside. There seemed to be general admiration for the general in charge of the whole "revolutionary development" program and for the officer in charge of the training school for the rural cadre teams. The actual effectiveness of the program depends on the local officials who vary greatly in competence and honesty and there were obvious differences in the quality of cadre teams now operating. However, there are almost certainly considerable areas recovered during the past two years in which support for the Viet Cong has been eliminated. And there was a fairly general respect for the morale of the Popular Force troops when fighting for their own villages.

I met one Australian officer with long experience in Vietnam and Malaya who argued that the war would be over in six months if the flow of supplies and troops from the North were cut off. And this estimate does not seem unreasonable on a definition of "war" which ruled out a situation in which the Police Field Forces or similar Vietnamese organizations could handle Viet Cong groups remaining in the jungle.

If the average level of performance in development and reform programs could be raised to something near the level of the present best, South Vietnam could go through the kind of economic "take off" which would double per capita income in a decade. And this would be the best guarantee against a Viet Cong revival. To produce this sort of result would require an improvement in American organizations and a much greater and more difficult improvement in Vietnamese organization. But, to produce these improvements should be seen as a difficult objective and not, as you seem to regard it, as an impossible one.

Michael Lindsay
Hong Kong

Views of the law and lawmakers from a man who sits in judgment

BENCH-MARKS

by

Henry J. Friendly

One of America's leading jurists, a judge of the United States Court of Appeals for the Second Circuit, reflects upon the business of judging, the study and practice of law, the federal administrative agencies, and problems arising out of our federal system. He discusses, with warmth and appreciation, four great judges – Holmes, Brandeis, Learned Hand, and Frankfurter. His passionate belief in the role of law in our society is clearly seen as he writes about such questions as what is justice and in his discussion of the Supreme Court's decisions on the right to counsel during police interrogation.

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Money for the States

Sirs:

I thought for a minute, when I looked at Joseph Pechman's "Money for the States" (April 8), that he meant the States of the American Union. I soon saw this couldn't be. The "Mississippi" to which he wants to give sixty-five million dollars a year, without strings, must be another "Mississippi" – as there is somewhere another "Georgia."

The country he writes of must be a pleasant place – even if its "liberals" *are* to be distinguished from "moderates." Unlike us, its inhabitants do not have to face up to racism as the dominating political and moral problem, or to the fact that there are some states that will try to use every power left them and every dollar given them to perpetuate racism. In that other country, there are, to be sure, "good" and "bad" states, "in their attitude toward public services." But this is a wavering, freely crossable line; no state (or surely Mr. Pechman would have dealt fully with so crucial a problem) builds its social and political life on a racism that permeates "public services" as it permeates everything else. The governor of none, we may assume, has just shouted defiance to national law, with respect to the administration of the schools. No "local" governments (O, reassuring adjective!) have kennel bills for police dogs. There is, for some reason, a "Civil Rights Act" – but "certification by the appropriate *state and local* officials" is all you need to ensure compliance.

Happy land! If we ever begin to approximate its condition, Mr. Pechman's idea might be interesting.

Charles L. Black, Jr.
Luce Professor of Jurisprudence
Yale University

Joseph A. Pechman's article of April 8, favoring federal revenue-sharing with the states without substantial strings, does not come to grips with most of my main objections to this plan in my March 25 article; and I believe that any championing of the so-called Heller plan should deal with these objections even if my article had not appeared. When Mr. Pechman says that "the opposition comes mainly . . .

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from liberals and bureaucrats who believe that major decisions about public services should be made in Washington," I think that he substitutes an unjustified innuendo for a substantial argument.

This innuendo is in part answered by Mr. Pechman himself, when he suggests that the federal government prescribe what portions of the federal revenues received by the states should be turned over to the localities. If the states know less than the federal government about what shares of such revenues should be turned over to the localities, how can the states know better than the federal government for what *programs* to spend federally-collected revenues?

Mr. Pechman's citation that 90 percent of the income taxes collected in this country come to the federal government does not justify his claim that "the federal government has virtually preempted the fruitful income tax." It simply means that the states have been derelict in using this best of all forms of taxation to the extent they should; no one can claim that, due to the federal tax-take, there is not a residue of untaxed income in the states sufficient to support much more use of the income tax by the states.

Mr. Pechman implies that the plan he supports would be fair to the poorer states, and tend toward equalization. He points out that federal contributions to the states on a $25 per capita basis throughout the nation would amount to 10 percent of the budget of the state that can afford to spend $250 per capita, and only 5 percent of the budget of the state that can afford to spend $500 per capita. The mathematics is correct, but the real impact is that the state which can afford to spend less per capita would receive no more federal aid per capita than the state which can afford to spend more per capita. This hardly tends toward equalization of services to the *people*. I wonder if Mr. Pechman would argue that, if the federal government were spending $1,000 in income-support payments, and it gave $500 each to a $3,000-a-year family and a $6,000-a-year family, this would be desirable as a move toward equalization.

Leon H. Keyserling
Washington, D.C.

Who's Fit To Be Free

Sirs:

Mr. James Ridgeway's article "Who's Fit To Be Free?" (February 4, 1967) compels me to comment and to make a plea. It is my belief that Mr. Ridgeway's use of testimony taken out of context and heavy sarcasm do not constitute informed opinion, but the bias of misinformation and misconception. The fact that the author failed to contact anyone at Saint Elizabeths Hospital, including myself, does not give him objectivity or neutrality; rather, it interjects the elements of ignorance, indifference and inadequacy of preparation. . . .

Straty H. Economon, M.D.
Washington, D.C.

In reply:

Dr. Economon says the article on Rouse is misinformed but doesn't say where or how. In preparing the piece I attended the hearing in Federal District Court where Dr. Economon testified at length, along with the superintendent of the hospital and various other doctors. The quotations are taken from the court transcript of the hearing.

James Ridgeway

Easter in Sunflower County

Sirs:

Having spent the Easter vacation in Mississippi, working in voter registration in Sunflower County, I welcome your article (April 8) on the present situation in Sunflower. One point, I believe, should be given emphasis. "Those with jobs may lose them if they run for office, or even if they vote." *Or even if they register to vote.* This I found talking with Negroes in Indianola and Drew. One courageous lady in Indianola told me she wanted to register, now that most of her children were (safe!) up North. She was worried that her son, still home in the high school, would be expelled if she registered, or that she might lose her job as head cook in the Negro high school. And registering for the city elections is no easy matter – the city clerk was not in his office the first two days that she came, giv-

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By JEROME AGEL

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ing the distinct impression that he was avoiding her. (The county clerk, however, under federal injunction, was very amicable.) In Drew I spoke to one man (with 11 children, a four-room house and no gas) who didn't know what to do, fearful of losing any job he might get. Another man, of higher economic standing, came out bluntly when I asked him why he didn't register – "I'll lose my job and I have a wife and two kids." While we talked with people, the local marshal followed us in his car, frightening many of the people from speaking to us. . . .

John Fournelle
Georgetown University

Kauffmann, *from page 18*

> novels, but she never read it, or regarded him as anything but the cousin of some friends of hers. She was aware that he wrote books, but so did almost everybody else."

Of the teetotaler pledge that he took to please his first wife:

> "I did not take to drink until the King took the pledge during the First War. His motive was to facilitate the killing of Germans, and it therefore seemed to me as if there must be some connection between pacifism and alcohol."

Even though this book clearly does not intend to give every detail of the years it covers, it is less thorough than it might be. For example, numerous first names are omitted; only the index gives us the first names of Giuseppe Peano and Charles Sanger (and gives the wrong first name for Veblen). Still, it is delightfully written, valuably personal, and – if the word is currently permissible – inspiring. May the author live to finish the story. Even this first installment demonstrates again what the world has long known: he is a giant. He continues to live gigantically. If lately he has wavered from fair political judgment, at least it is out of one of the three guiding motives of his life, his compassion. This book re-establishes that we have been the lucky contemporaries of a genius-saint: a genius despite his waverings; a saint despite and because of his secular concerns. When comes such another?

LITERATURE

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About The Author: DR. MORTON B. GLENN: Dr. Glenn is president of the American College of Nutrition. He has served as medical consultant to the U.N. and as president of the food and Nutrition Council of Greater New York.

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